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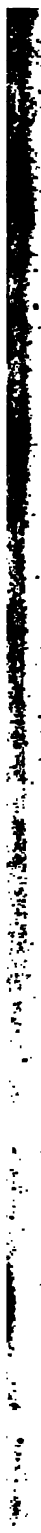
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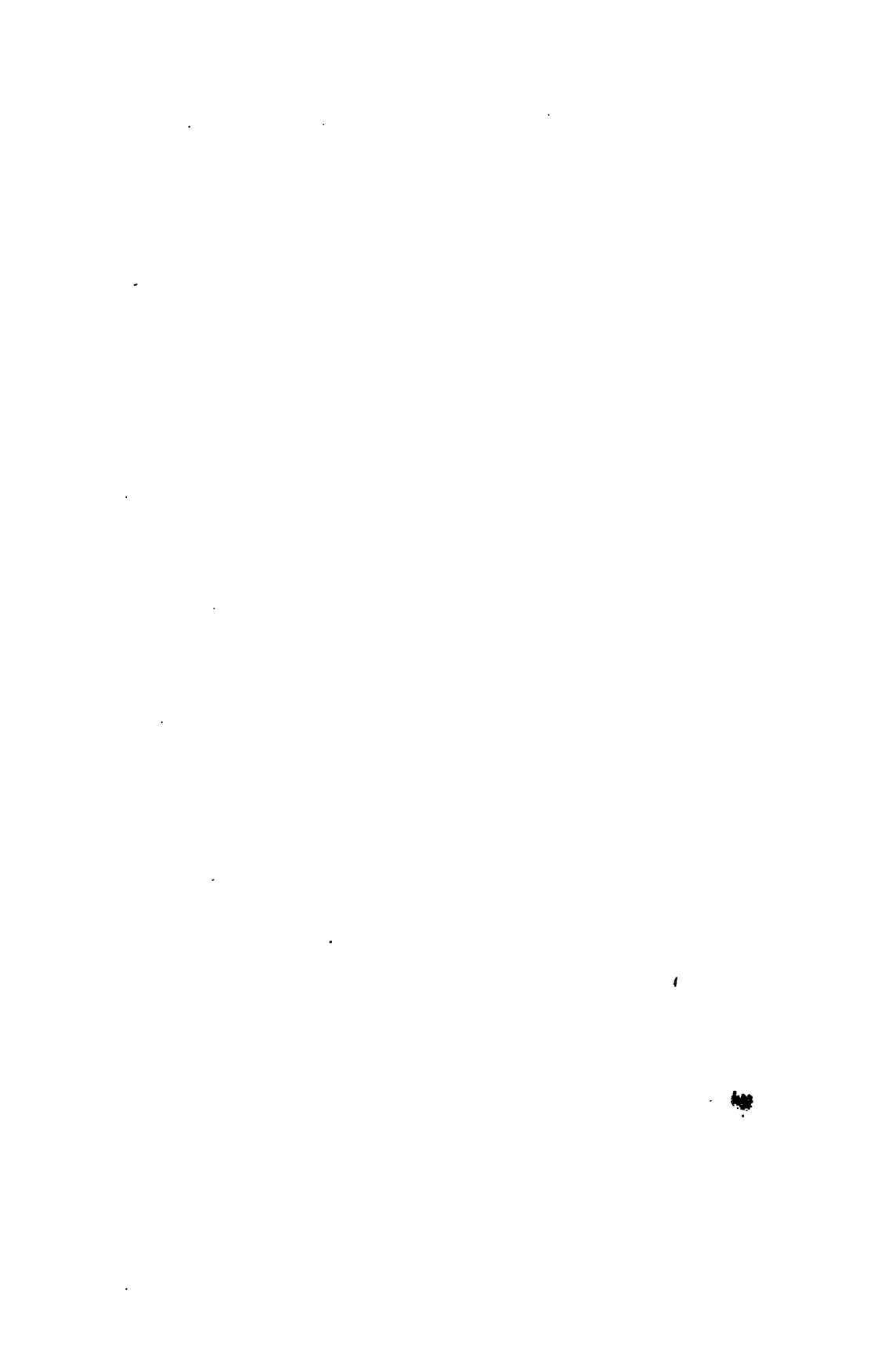
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OBSERVATIONS

ON SOME OF THE

CHIEF DIFFICULTIES & DISADVANTAGES

OF

ENGLISH SOCIETY,

WITH

SUGGESTIONS FOR THEIR REMEDY.

BY

GEORGE KNIGHT.

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TO THE KING

AND

ROYAL FAMILY.

IN presuming to dedicate the following pages to the honourable, magnanimous, and beloved King of England, as the head of that interesting family so important to the interests and welfare of my country, the writer is not altogether unmindful of the vast difference between the most potent of Sovereigns and a simple individual of his hundred million subjects : yet having always, so far as he recollects, felt cordially towards his king and country, and seeing, hearing, and reading of much crime


and much distress, particularly among the working classes, and apprehending that it is neither inherent in the nature of man, nor inseparable from his indispensable circumstances, and that it admits of easy remedy, he has endeavoured to exhibit some of his ideas on the subject, and earnestly, though with diffidence, entreats that they may not be altogether disregarded.

Surely this truth must be peculiarly interesting to the King, that, according to the talents bestowed, will be the fruits looked for; and if our King fully avail himself of his perhaps unprecedented opportunity of conferring happiness upon, and greatly increasing in every sense the respectability of millions, according to the great gifts of his mind, and the still greater gifts of his heart, how peculiarly interesting must be his situation, while the consciousness of even more than doubling the great benefit he has hitherto conferred upon the country would enhance every suitable

pleasure, and alleviate the disappointments, however few, which may find their way even into the breast of royalty! The royal notice is, therefore, solicited to this tangible, simple mode of getting rid of the bulk of the distress of the country, by reducing the various disorders and crimes, which are the germ of distress. If this could be realized, mutual benefits would greatly take the place of mutual injuries; hatred, mistrust, and revenge, where they happen to exist, would yield to love and respect; children would not, as is now too frequently the case, exceed their parents in wickedness; nor the besotted husband starve the wife and children, while the cruel, calculating publican allowed him to spend or gamble away his last shilling.

The writer has long viewed with conflicting feelings the anomalous circumstances of his country. With a government superior, perhaps, to any other on record, and exhibiting at the present time the best period

of it ;—with an extent of intellectual acquirements throughout the nation, which have not merely never been equalled, but to which the history of the world exhibits no near approach ;—with individual benevolence, incorporated with vital religion, which distributes perhaps a greater amount than all the rest of the world collectively ; and which appears to be even more valuable for the extensive possession of the good principle on the part of the contributors, than for the extensive comfort which it produces to hundreds of thousands of the destitute ; with these, and many other great and interesting advantages, both moral and physical, we appear to possess also, in no ordinary degree, the germs of every crime of men and of nations ; so that scarcely a benefit we have but is counterbalanced. Now, although no human government can abstractedly produce a state of religion and morality, yet both may be, and have been much served, by the wisdom and honour of ours, both



physically and through the medium of example; yet why not frame a code of laws, dictated by common sense and common honesty, with a view to the practical benefit of man, and the honour of that POWER who is the source, sum and substance of all goodness, purity, and truth? Would not such a code be effective in its application, and rationally useful in its results? and would it not do ten times more towards rooting out crime, and destroying its seeds and its food, in two years, than has been effected in the last forty? Shall it be said, that honest straight-forward legislation must necessarily prove inadequate to grapple with the contrivances and crimes of the idle and profligate? that in a country like this, scores of thousands of thieves, and receivers of stolen goods, shall be known as such by the subordinate authorities, and that laws must needs be so constructed, that it shall, in most cases, prove impossible to bring the laws and offenders in effective contact? that we must needs

barricade our houses like castles, before we can venture to go to sleep? Has it not always been found, that honest objects are best compassed by honest means? Shall it be said, that honest legislation is not befitting the wants and the conduct of a great nation?

But we are about equally remarkable for the number of escapements we provide for offenders as we are for the offenders themselves. Does it require extraordinary perception to know that the first must needs increase the second? Yet, however checkered the appearances of English society, there exist such abundant and buoyant materials for great minds to work on, that the views, present and prospective, are sufficient to arrest and employ all the excitive powers of the mind. Do we look at the causes of distress, how they threaten by increase of drunkenness, and its various concomitant crimes, to sink society, the working-classes more particularly, to a low grade of destitution; yet how easy to frame and to apply laws which

would immediately work beneficially, and gradually become perhaps almost universally effective. Do we look at the teeming population, never perhaps in this country so much as now on the increase, they are in very many instances half starving; yet how easily might they be put in train for each helping the community, as well as the community helping each of them, until pecuniary distress were even more rare than profligacy is now common; and for those who do not, or will not, see a remedy in the improvement of society, there surely needs some other remedy; for it is generally considered that there is, and has for years been, an increasing pecuniary distress among the bulk of the nation, by no means confined to the working classes; that many parishes would give several pounds a piece for the removal of nearly half their population; yet this goes on still faster every year, if one may judge, either by personal observation or the returns of population to legislative directions.

But how interesting and promising is it to contemplate the opportunity which the present state of society presents, invites, and, on the other hand, almost insists on, for improvement! How desirable, yet almost awful, is the situation of the main-spring of the Great British machine in the present day! 'Tis true that if this opportunity be now neglected, it may continue to present with still more threatening aspect on one side, and still more powerful attractions and greater facilities of application on the other: but shall any time be lost in availing ourselves of the invaluable opportunity? Whether we look at the various disadvantages of society, or the natural means of combatting them, or the auxiliaries to be found in the general attainments and information of society, all tend to the same conviction; all present both imperious demands and inviting facilities. Oh that they may not be neglected! But how would the fair fame of the preceding great descend towards mediocrity, compared

to those, who, wielding the mighty resources of mind and of power of this mighty nation, should raise her from her mass of misery and crime, contribute to the happiness of almost every individual in it, and lay foundations which may last on earth while the earth lasts, and bloom above for ever, because acceptable to HIM, the CREATOR of man, who condescendeth to will the happiness of all! Still the disadvantages under which the people of England yet labour, appear to be no more in our present demoralized state than are needful to keep us from swerving still further from the will of our MAKER. When our first parents were innocent, and walked in all the will of the GREAT FIRST CAUSE, and dwelled in HIS light, they were, and would always have been, abundantly provided for; but once opening the door to temptation, which they never could afterwards effectually or permanently close, work was needful to keep them out of mischief, and their descendants running still

more counter to the will of the SUPREME, they were not only scourged by the diseases entailed on their vices, and the cruelties of man to man; but also famines, pestilence, and earthquakes, were frequent; and subsided in no very slight *degree in* PROPORTION as the moral and religious state of mankind improved; so that as they advanced in vice or virtue, their very nature frowned or smiled upon them. If any doubt this fact, let him look at history, where they run on in parallel lines; and since the revival of the Christian religion in no mean approach towards its original purity under the denomination of reformed religion, protestantism, &c., where have been the droughts so often before occurring, and producing death by starvation to large proportions of the human race? Where the pestilence spreading over whole kingdoms? Where the earthquakes and eruptions burying the largest and finest cities scores of feet below the surface of the elements of their

destruction? Now, however little thought of, is there not sound reason to believe, that by taking the preparative step of endeavouring, more particularly in a government capacity, to propitiate the DIVINE BEING, by suffering no ideas of expediency or revenue to promote any sort of licentiousness, *by opposing those crimes* most which we have reason to think are *most* offensive to HIM, and while humbly endeavouring to promote His will, also carefully abstaining from those dictations to the consciences of man on that all-important subject of vital religion which is only in the power of DIVINITY to convey, we might go on to legislate honestly, simply, and effectually, to the enormous reduction of crime, and increase of the happiness, respectability and power of the state? But while so much crime is in continual operation, much increase of wealth and ease would, by giving the devil extended opportunity, involve much increase of offence to God; so that is there not substantial reason

to believe it inconsistent with the best interests of men, that he should be much more at his ease until he is more prepared to enjoy all as of His favour, and seek continually to be preserved from offence to HIM? The writer apprehends that he sees unquestionably, that England, bad as she may be considered, would, with the present feelings and habits of her population, be far worse than she is, if she were far more prosperous; and it does not appear to be in the ordering of infinite wisdom and justice to *compel* men to be happy; perhaps it would be incompatible with the encouragement of that gratitude and love, and that unqualified value of His favour, which HE condescends to receive from our hearts: those who admit this will probably allow that even for attaining worldly prosperity to the nation, the chief and primary object of legislators should be to provide for all proper means of discountenancing vice, not by passing one hundred times as many laws as are

needful, explaining and perplexing and contradicting each other, and leaving the application of them too often to chance or something worse ; but that it would best serve the object, to be rational and consistent, to oppose vice and encourage virtue at all times, and on all occasions. Now, although the writer hopes that he is only one of many millions who are, more or less, desirous of the welfare of this country ; and, although he thinks it both bad taste and bad policy for every one to presume to request the notice of the Rulers of the country to their sentiments, as though it were likely they were so well informed, or so “ quick to learn and wise to know ;” yet, imagining he clearly sees that we exceedingly miss it for want of a little more practical common sense, to render the efforts of more imposing genius tangible, he has ventured to offer these suggestions, confining himself to a few of the more prominent and generally admitted wants, vacuities, and redundancies of our present

system; and beginning at the two points where he feels and sees the greatest *source* of unhappiness, debasement of character, and impoverishment to the nation, in the increased crimes of the working classes, arising from various causes; but no other so prolific and general as the inducement which cheap gin affords to drunken habits, and a code of criminal jurisprudence remarkably deficient in its every stage. So that if a simple, practical code, excluding all legal nonsense and false profession, would seem calculated to arrest the present rapid march of crime, he ventures to hope that no unworthy fears of the administrators of the present system, mis-called jurisprudence, would be suffered longer to stand in the way of the happiness and respectability of the nation; believing that the promotion of very high degrees of national virtue is practical, plain, and indeed not difficult, and that those suggestions would serve as a nucleus to form them; and indeed, that

the adoption of any one of these suggestions would yield some real, substantial, permanent happiness to the country, increase her prosperity, her wealth, and her respectability. Notwithstanding they are offered by uninitiated obscurity, yet, perhaps, in some cases, a looker-on may take a more unprejudiced survey than those, who, in the midst of opinions not unfrequently conflicting, and of interests incompatible with each other, sometimes find subjects offered to them smothered in sophistry, which would otherwise be obviously clear. Should the liberty herein taken require apology, the writer would wish to plead his ardent wishes for the welfare of his fellow-creatures generally, and of his own countrymen and King in particular, whom it has pleased God to bless with so fine an understanding and honour, he verily believes in mercy and goodness to this country, and which we all have the benefit of, though in various degrees.

PREFACE.

THESE observations were written with a hope that the Duke of Wellington might afford time to bestow on them some reflections of his powerful and straight-forward mind, and apply such remedies as should appear, at once needful and practicable ; but this hope having been, a few days ago, disappointed, yet the desire remaining of their practical application, has induced the writer to prepare them for the press, with such slight alterations as seemed indispensable to the circumstances of the change. Thus, though quiet, unobtrusive usefulness may not be so fully attained, yet

he indulges a hope that they may prove a nucleus for many benefits to his country; though he cannot but regret, that by the impracticability of the Duke affording an hour or two to the subject, he was precluded from knowing whether, in the Duke's judgment, there would be any thing in the observations calculated to injure his country, or place in jeopardy any honest interest.

REMEDIES
FOR
THE CHIEF DIFFICULTIES & DISADVANTAGES
OF
ENGLAND.

**AN INQUIRY INTO THE MEANS OF PROCURING ABUNDANCE
FOR THE DESTITUTE, — RESPECTABILITY FOR THE DE-
GRADED, — USEFULNESS FOR THE MISCHIEVOUS, AND
HAPPINESS FOR ALL, — THROUGH THE MEDIUMS OF
VIRTUE FOR THE VICIOUS, AND INDUSTRY FOR THE IDLE.**

CONSCIOUS that man endures much unhappiness in almost endless variety, and apprehending that but a very small portion is inherent in his nature or inseparable from his circumstances, the writer of these observations, deeply regretting that individuals and nations should exhibit such gratuitous suffering, offers these

suggestions as remedies for their removal ; not deterred by the observation, that if any one advise against oppression, or other inhumanity, he may expect great opposition from those who profit by the evils, who, if they be numerous or otherwise influential, will find various means of deducting from his comfort ; and while few will care to help one who presumes to hold a looking-glass to their eyes, many will bestow on him an ill turn, as occasions may serve, if, in pleading for the destitute and forlorn, he find it needful to turn attention to the oppressor, for so it has generally been, especially where a specific object of benevolence has not worked in classes, but single handed.

The more we reflect on the adequacy of legislative enactments, promptly, yet mildly enforced, to increase the happiness, respectability, comfort, wealth, and mental and physical energy of man, the more we may see that the afflictions of poverty and disease are needful to keep man from becoming still more injurious to himself and others, until religion has a good deal curbed his passions,

and he attains a strong *tendency to desire* to know his duty, and to perform it, lest he offend in that quarter where his soundest and most interesting hopes will then be concentrated.

If this be admitted, which appears to be proved by history from Adam to George the Fourth, and so would our own experience prove it, if we traced back the events of our own lives; the grand preliminary inquiry is, what most involves man in the disapprobation of his MAKER? an inquiry which naturally excites the desire that all legislative measures should be first directed to removing, as far as possible, the temptation to crime, more especially nipping it in the bud in youth, and not neglecting to root it out of the more experienced offender, and that all encouragement should tend to the side and aid of virtue.

Among the many anomalies of this anomalous age, perhaps few are so striking, or so important, as the wisdom and strength of our government, contrasted with the inefficiency of our laws; and the wide spread of our benevolence and kindness, compared with the

extent of our crimes. Should the government now carry a simple, practicable, efficient code, would they not thereby far more promote the good of the country than all the laws have that have ever been made in it? And should extensive doubts exist, as to the safety of a thorough change in the criminal and civil jurisprudence of the country, and other of its institutions that need a change, they might be adopted for a specific period, to be decided on by their fruits; and if they did not reduce crime in as rapid a ratio as for many years it has increased, we could but take our old code back again: our enemies would not wish to deprive us of it, however our friends might feel on the occasion.

Could we once divest our minds of the prejudices of sophistry, might we not admit that honest, candid, straight-forward legislation would be easy, whether relating to criminal and civil jurisprudence, or the maintenance of those who would be otherwise destitute; or the revenue of the country, its debt and expenditure; either one of which, if fairly met and acted on, would produce an

amount of relief and happiness which the most vivid imagination could not readily grasp. And how exhilarating and encouraging it is to reflect upon the ripeness of society for real improvement; for whereas formerly a man could hardly propose amelioration of management, but prejudice rose on him at all points, now opposition is nearly confined to the few who profit by the evils; and with the mass of society, improvement where it does not trench on the indulgence of darling passions and improper enjoyments, does not merely mix, but it fuses readily, and enhances the cementing tendencies of society, and an order of things, each working the advantage of all. How desirable it is that ministers may go on from one stage of practical usefulness to another, and proceed with accelerated pace until this happy land becomes a still much more striking model for the human race. Indeed, it seems the more needful to mend their pace, because, in some instances, recent improvements in law, though very good, have scarcely kept pace with the increase of abuses into which we have been

dovetailed by the lawyers with cruel precision, and watched there with the most assiduous jealousy.

Is it going too far to say, that if we muster the records of all the human comfort, produced or promoted by any monarch of antiquity, it will appear far beneath that which our own beloved and truly princely Monarch may now produce? primarily to his own subjects, comprising about one-eighth of the inhabitants of this globe, and perhaps one-fourth of the property, and one-third of the intelligence and sound religious principle; immediately to his own subjects; and, secondly, to every civilized nation, through the medium of that strong moral principle now on its march, according as we are brought together by the same feelings, interests, connexions and localities; but retarded by the prejudices of others, and by our own neglect to adorn such improvements by a steadily consistent conduct. Indeed, if all, individually, did their best, and exerted their influence in promoting sound principles, duly blended with practice, the next fifty years might prove more

remarkable, and derive more advantage from increased moral influence, than the fifty retrospective years have been for inventions and all other physical improvements, rendering both them and the various other circumstances of man subservient to itself, and producing a degree of human happiness, and an extension and concentration of rational order and mutual good fellowship, which the most enthusiastic philosopher has never yet aimed at.

National and individual prosperity should be sought in the most certain quarter, knowledge of the DIVINE will; which cannot be understood in its fulness without being obeyed in its still small voice in the heart.

Let not these suggestions for improvement be considered as offering new principles, but only a more general *application* of the good old way; infinitely good in the communication thereof to man, but badly followed by us, and while professed in words, too often forgotten in deeds.

History, from the first moment of Eve listening to the serpent, to the present hour of

one's own life, proves to perfect demonstration that sin is the sole primary cause of the unhappiness of man; and however we may trace causes to their effects, and attempt to account for all that has occurred, we cannot wriggle from the fact, history proves it in spite of our sophistry, and so does observation, and so does our own experience.

Perhaps some objectors would recur to troubles over which the sufferers had no control; still, where arising from human oppression, it has been sin in those who occasioned it, and from whatever cause, it has very generally been needful to the sufferers to bring them to a sense of their own transgressions. Some would perhaps object as to the sufferings of infancy, but they are chiefly entailed from the former irregularities of the parents and their present neglects. But for the bulk of the sufferings of any rational creature attained to years of discretion I would appeal, whether almost every one of his greater troubles more especially may not be traced to his own neglects, unsubdued inclinations, and imprudences, (and it is the province of vital

religion to curb and bring into subjection *all* improper dispositions): but if a man reply, yes, I see it has generally been so with me, but I don't know that it has with others, let him look at the situation of the drunkard, or gambler, or impostor; for to suppose they enjoy life as much as more regular livers, is to mock our own eyes and reason.

It is obvious that the Good God condescends to will that we, His rational creatures, should be as happy even in this life as is compatible with our preparation for that state in which our happiness can only flow from HIM, and from rejoicing in knowing HIM, and doing HIS will, and rejoicing in His glory: but we neglect the means of happiness, and so troubles overtake us; and while our negligence or obstinacy render those needful, troubles become blessings if properly submitted to. It would seem from the doctrines and the works of the Redeemer, that there arises no affliction whatever to communities, to families, or to individuals, except dying in their sins, or yielding to temptation, but would and must become a blessing, if properly

received and dwelt under ; and, further, that the state of society in every age of the world has been as happy and had as little affliction as would be at all sufficient to keep them within bounds.

When Adam and Eve had an innocency without blemish, they had peace without alloy. Ah ! how sweet was their peace, full of love and in the enjoyment of the presence of the ALMIGHTY FATHER ! When they had wickedly resolved to deviate from the path of *IMPLICIT reliance* on His goodness, and His will, perfect love, and perfect allegiance (the greatest attainment of man, and the greatest attainment of angels) no longer reigned in their hearts, and a life of some toil and some trouble was needful to aid in employing their busy and chequered thoughts, and keeping them out of mischief ; so in His chastisements He was, and remains to be, good and kind. If we trace history from that day to the present, we may observe the fact strikingly exemplified. At one period mankind were so wicked that the thoughts of their hearts were only evil continually, and the LORD said, “ My spirit

shall not always strive with man;" and the flood came and took them all away, save eight persons.

Again they became very wicked, and with few exceptions remained so ; famine and pestilence were then frequent. The race, though still lamentably naughty, has gradually improved in sincerity, mutual good will, and rational practical religion ; famine and pestilence have gradually retired, and neither have been extensively known in any Christian country for many years past. Now some will say this is all to be accounted for by the more industrious habits of mankind ; the more general drainage connected with extended cultivation ; and the less extirpating mode of conducting wars. People have been more industrious and provident, therefore, shortness of crops have been met by previous industry and economy ; and more rational, sober, cleanly, and orderly habits, improvements in medical science, together with the remedy applied to the cold, agueish state of fenny lands, and various other obvious causes, have led to these improvements in the health and

condition of man. But permit this question, Is it a reason, because the God of nature choose to work by natural causes, that therefore we are not to depend on HIM for temporal as well as spiritual blessings ? If the benevolent AUTHOR of creation stamp this fiat on the circumstance of man that his propriety shall promote his prosperity, and his virtue his happiness ; does this invalidate the doctrine of an overruling PROVIDENCE ? But further, let us ask such reasoners, where are now the dearths of rain for years in unvarying continuity ? Oh ! but say they, we and the present race of civilization generally dwell in countries that never have been thus circumstanced ;—but how do you know that these countries never have been thus circumstanced ? It is contrary to the evidence of Scripture which some wise men believe, all without *one* exception *have believed* who have read them with a WILLINGNESS to believe ; and although civilization has travelled to the westward and northward, we know a little of the present and late circumstances of Palestine, of Persia, of Greece, of Italy ; and had such things

occurred since those twin circumstances the reformation and the art of printing, we know that they would have been handed down to us. But well may we adopt the exclamation, "Man sees not *THEE*," when we contemplate the great and good, and continually recurring gifts on the one hand, and the indifferency of man on the other.

How inexpressibly desirable is it that all classes, but particularly the King and his confidential servants, might turn the attention of their powerful minds more particularly to grapple with those irregularities which appear to lead to the greatest and most numerous offences against God, if it be admitted that there is no other road to national greatness, happiness, and honour, so easy, so tangible, so effectual, so substantially enduring; for here are no clashings of *honest* interests, here is no taking from one man and giving to another, but here is snatching from the devil some of that which he has stolen, and using it to the honour of God who gave it; in whose hands, and in the administration of the Spirit of Life, it is pure in the sight of *IMMACULATE WISDOM*,

and beneficial to man, here is substantial benefit to each and to all without alloy and without purchase.

The writer of these few pages is so fully convinced that if all strove in the secret of their own hearts after the knowledge of the will of God concerning them, and obeyed it promptly and simply, in humility and integrity ; that all would be so taught of the same DIVINE TEACHER, that sorrow, distress, and disappointment would be but little experienced, except so far as was needful to keep down any evil tendencies which still remained ; that he feels as confident of it as of any fact that is obvious to his outward senses ; and although one man cannot make another man acceptable to God, yet “ ten righteous would have saved a city once ;” and “ the fervent humble prayer of a righteous man availeth much ;” so if all sought and obeyed, how would it lighten the burthens of those, whether few or many, who are concerned to seek *first* the kingdom of God and His righteousness.

This would form an epoch in the history of man, and the names of the Sovereign and his

ministers who promoted such things would be fragrant on the page of history, neither would that be their chief reward.

Although it be generally allowed, in theory at least, that virtue is the chiefest and most steady promoter of happiness ; and although by far the greater part of the distress of individuals, families, and nations, arises out of their deviations from the path of rectitude, yet it seems needful to descend from this general axiom, and consider the subject more specifically and minutely ; for although sin is the cause of sorrow, improvidence is a main cause of pecuniary distress. Were it not that custom has familiarized us to the facts, we should naturally ask, with wonder and grief, a solution of this problem. That there are, at all times, in this country, hundreds of thousands pining for want of food and raiment, whose united efforts would be sufficient to procure them great abundance of both ; yet, although they are anxious for such employments, there is at all times great lack of employment, and great distress among these candidates for employment, for want of those things which

these very employments procure. Yet there seems to be no deficiency of medium for the reciprocity of these wants; farmers, traders, manufacturers, are all assiduous in their respective departments, by bringing them together, and changing them for each other, by which operation they are neutralized as wants, and converted into enjoyments; and, were it not for some grand error somewhere, it is obvious that employment would always abound while wants and desires existed, and they must continue while human nature exists.

It is grievous to reflect on—how much more grievous to endure—the various privations and sufferings of a single poor family, when the husband and father no longer supplies them the means of subsistence; this defalcation generally arises from drunkenness, or absence of employment. It is also grievous to behold the effects of destitution and idleness on the youth, in that season of life when habits are formed. Surely it would be worthy the highest genius of the greatest legislator to bar the rapidly increasing destitution and

crime ; and although religion alone can make a man virtuous, on those points which his constitution and habits declare to be his weak side, yet good legislation comes very valuably in aid of virtue. But the search for a remedy should be preceded by an inquiry into the causes of the grievance, which may be exhibited by a single case as a sample of the bulk of the mechanics of the metropolis : to what extent it is so in the north, the writer has not had opportunity of personal observation.

Let us then suppose a mechanic able to earn, in four days, sufficient to keep his family and himself seven days, not merely with food, but with all needful comforts, but working only three days on an average, and squandering a large proportion of even those earnings in drunkenness ; his family is always struggling against want, and their expenses constantly anticipate their income ; so that if his employment be suspended a single week their distress is great, and they must give from their wretched stock of apparel, or furniture, to procure food ; the dear-bought

credit of drunkenness and poverty, and a slight pittance from the parish, making up the wretched means to drag on existence ; so that they at once cease to make that profitable and natural demand upon the industry and procuring powers of others, except so far as imperious necessity compels them, and then chiefly by exchanging one commodity which they want much, for another which they want still more. This is the case with the bulk of the working classes of the south at least, and produces a large proportion of the want of employment, and the distress which so frequently occurs.

The poverty of the agricultural labourer also, though arising as much from unnaturally low wages as from the above causes (one effect of that competition for farms, which has induced the continuing to give for them thrice the rent, that, from the nature of things, they are worth, as compared with such property among the nations who are our competitors in manufactures, thus giving to the landlords a large proportion of the wages of the husbandman) ; this also impoverishes the country,

and reduces the custom of the farming man to his master, to the manufacturer, to the merchant, and in some slight degree to the revenue. But if, superadded to this, the landlord should live abroad, it makes the matter far worse still ; for the labourer would be sure to spend in this country whatever he spent at all, and in a far larger proportion than the landlord, (even if the latter did always stop at home,) on the produce of his own country. So that with drunkenness, improvidence, and what has now become among farmers an injustice, which, perhaps, they can no longer control, the working classes are generally unable to afford themselves and families those comforts, or even necessities, which would yield a constant and regularly recurring demand ; and, with the natural demand so constantly and extensively curtailed, can we wonder at the want of work ?

But let us imagine the case of one mechanic of average capacity for earning, of sober habits, and average number in family ; and further, we will suppose him always in work : now

this man takes home to his wife about *thrice* as much as the average of mechanics, what with the loss of time, and loss of money, arising from their drunken habits, so that he may make a liberal weekly deposit in a savings' bank, yet constantly give to the manufacturer twice the custom or employment that other mechanics give on an average. Is it not clear, that if every mechanic in England acted thus, they would afford to each other twice the employment they now do? That they would pay for what they bought? That all those they dealt with would be much more enriched by them than they now are? and, by being so, would give them, in return, more employment, because they would have more money to spend? Is it not obvious, that they would contribute more to the wealth of every class (with a few exceptions, as the distiller, the pawnbroker, and a few others)? Now some may say this is well, in theory, but the fact is, there is already want of employment for one-sixth at least of the producing power of England:—admitted; but do we not here show an adequate cause for it in the self-

created poverty of the manufacturers, and the oppression and self-created poverty of the agriculturists? Only imagine, if all were altogether improvident, and did no work; as soon as the present stock of food was gone, we must part first with those things we could best spare, and so on to the rest, until we had nothing; and how could *any then* give profitable employment to others? There would then be no employment for any, because none would have any thing to work upon; but reverse the case: if all those, whose circumstances required them to work, were industrious upon all the profitable work they could procure, and economical in applying their resources, they would be REGULARLY drawing on the labours of others; not as now, *suspending it continually*; and others would REGULARLY draw on their labours, *without any suspension either*: thus would a really healthy and perpetual demand be produced.

Indeed, if all the working classes acted on this plan, and the farmers paid their men fair wages, is it too much to say, that in less than

twelve months there would be abundance of work for every man, woman, and child, whose circumstances required, and whose capacities enabled them to perform it : that by the end of two years, nineteen families out of twenty (excepting the widows and orphans) would have begun to get a few substantial comforts about them, (and that, with the above exception as to widows and orphans, for which peculiarly interesting class, by the by, we could then afford to make a suitable provision,) but with their exception, we might reckon on scarcely one family in one hundred seeking parish relief, except in long illness : and a sufficiency of food and work, together with the order, sobriety, and cleanliness they would promote, would greatly reduce ill health also ? At this rate nearly all would, in a few years, save some property ; and this constant additional increase of wealth, being chiefly absorbed by the classes that produced it, (although they would not a little contribute by these means to increase that of the rich,) and appropriated economically, would go on rapidly accumulating in cause and effect ; so

that journeymen mechanics, having had constant employment, and having fully availed themselves of it, and having their industry supported by their wives' economy, might retire from business with a moderate competency at from forty-five to sixty, according to the profitable nature of their work, and their capability on the one hand; and the number of their children, illness, and other drawbacks, on the other: thus retiring from toil, except so far as was needful to their health and amusement, before their strength and constitutions were worn out; and their income being just about suitable to their wants, not overgrown, like the reinvesting capitalist, would spend their income both from necessity and choice: thus employment and comfort would cheer the country from one end to the other, to that degree, that the Augustan age at Rome would be a speck, compared to it.

But this points to an accumulation of wealth by the journeyman mechanic and labourer; and many may say, We cannot see how it is possible; what is their property to

consist of? It is to consist of what they like to buy with it, whether food, raiment, furniture, merchandise, houses, or loans. But some will say, How are they to find these things, to buy to this extent, more than three-fold what was ever seen? Why the very head, and front, and foundation, supposes that industry and care which produces and preserves; and which would be sufficient, in a very few years, to double the moveable property of the people of England; and who so suitable to have the additional property produced out of additional labour, as those who produced it by their additional labour? And if England should get so full of inhabitants and property as to need more room, there is plenty, as yet, in her colonies; and if further, the system must continue of making the people support the land, instead of the land supporting the people, by excluding what the people need from other lands, and thus stand in the way of the extent of wealth to which England might otherwise attain, they will only have to move off a little quicker; but it is grievous to think of the degree of selfish-

ness to which the great landholders of England have attained. Yet, while drunkenness and immorality increase among the working classes, not only these desiderata cannot be realized, but also their present distresses are barely sufficient to keep them from still greater anarchy and licentiousness than they now exhibit, which seem likely continually to increase, until the legislature adopt better laws, or the people seek for and obtain better principles.

Perhaps a zealous friend of the minister might ask, how the government is involved in these pitiable scenes? It may not be, except slightly and remotely; but the writer is inclined to advert to two circumstances, which will tend to illustrate his meaning.

When the price of gin was at its highest, he did not meet much more than one-third as large a proportion of drunken persons in the streets and Commercial Road as he does now; therefore, concludes, that protecting duties against drunkenness would be extensively efficient. The other circumstance is this: But a few years ago, scarcely a coal-

whipper* would be met returning from his work without a large lump of coal on his shoulder (this was plunder from the ships' cargoes). A zealous, clever magistrate of the Thames Police ordered the officers to bring all such to the office; they represented that it would be impossible, and that no house in the parish would hold a tenth part of them: the magistrate, however, like a wise man, was firm; and the writer has not, that he recollects, seen a lump of coal on a coal-whipper's shoulder for some years, though frequently walking through those streets in which he so commonly met them before; by which he gathers, that if the Secretary of State for the Home Department, being previously armed with a law for that purpose, would deal by the magistrates as the magistrate did by the police officers, and insist upon all drunkards in the street being brought up and fined, as well as the landlord of the

* The men who discharge the cargoes of coal are called coal-whippers; the crews are not allowed to unload the vessels, and this work is the only employment of a large number of men who formerly supplied not only themselves but others with fuel in this manner.

last public-house they had drank in, there would not be one-fourth, perhaps scarcely one-fortieth of the drunkenness seen in the streets that there now is: and is it not obvious that drunken and idle habits produce a very large portion, perhaps more than three-fourths, of the distress of poor families, their profligacy, and their crimes?

And how easily successful might be the endeavours to court the poor to innocent, mental, and corporeal pleasures, if aided by the removal of temptations and the punishment of irregularities, without the connexion being seen between the invitation and the coercion. Among the working classes, until a man becomes an habitual drunkard, his chief excitement to turn in and linger at the public-house is to get rid of that *ennui* so common to the mind of man when it is not employed in some near approach towards its natural strength and capacity for work; it is not so much to get drunk; they very generally would much rather not be drunk, abstractedly considered; but they want a little amusement for their minds, and at the public-house they

meet with jovial companions, and they know that if they linger there and don't call for drink, the publican will look sour on them, and unhappily the sum expended in gin that would formerly not be undesirable if diluted, will now be sufficient to intoxicate ; but if, in each parish, were one commodious room, in which from five to eight o'clock were good reading of good moral, instructive, and amusing articles, it would thin the gin-shops exceedingly ; and if the character of the drunken husband were alternately rallied and exhorted, he would be ashamed of his likeness, and resolved to reform. We are now too thick upon the land for manly games, or such as cricket would be very useful ; but any amusements, of whatever character, sought in the public-house or its premises, end in drunkenness, and too frequently in gambling also. But if all worked steadily, there would soon be a great increase in the number and goodness of the houses, furniture, apparel, books, means of education, or whatever else in the way of property (except land) might be most desired ; yet in this contemplation some will

instantly recur to the original difficulty,—We have already a superabundance of goods, we want custom; and the bulk of the country, the working classes, much want what we much desire to sell, but they cannot afford to pay for them; indeed, if they could, we should find that our present excessive stock would be unequal to half the demand; we should then become as anxious for the means of increasing our stock as we now are for ready-money customers to buy it of us.

But were it not for habits of drunkenness, the working man would have some resources to maintain his family for short periods when out of work; he would thus continue to be a profitable customer to the farmer, manufacturer, merchant, and tradesman, which, co-operating throughout society as cause and effect, would soon yield so regular a demand, that his producing powers would be as much in requisition as his custom: thus those periods of distress so frequently recurring among the working classes would be annihilated. But in the present degraded state of the English poor, how does the overwrought, half-starved,

wife and mother long that the reckless father of her children might that day take it into his head to pass by the gin-shop and come straight home, that they all might enjoy each other's society, and that their pittance might, in its just distribution, contribute to the vigour and happiness of all, instead of all but one pining for want, that that one might indulge in what degrades him below the brute. Ah! that our governors would turn the great energies of their noble minds to this subject, and by discouraging drunkenness, theft, idleness, and immorality, which debase and afflict our half-destitute population, contribute to their utmost in promoting social order and propriety, and thereby exalt the nation in all its real interests, and that in proportion to their relative values!

Some people, it is to be hoped that their number is few, rail against the government, and exhibit what they call a certain proof of its imperfections, by observing what to them is unaccountable, that while thousands are really suffering for want of food and raiment, others are going to ruin for want of customers

for that very food and raiment, notwithstanding that the industrious classes, both masters and servants, are desirous of employment; but the secret appears to lie in a very narrow compass, and chiefly attributable to the mismanagement of the sufferers themselves; and if the remedies here pointed out were heartily followed up, every class would be benefited except that which can only imagine enjoyment in the distance between themselves and the sons of want and toil; for though all would be gainers, yet, unquestionably, the latter would be chiefly benefited by the additional comfort and respectability that would be spread among them; who, with such habits, and corresponding feelings, would be, beyond any moderate comparison, more powerful, more happy, more enlightened, more loyal, more virtuous, and more substantially religious, than any nation on the page of history; for there is a religious blessing in the fruit of moral duties, and a moral blessing in the fruit of religious duties.

But if those who are dissatisfied towards government would bestow their energies to

reform the vestries of their respective parishes, they might find far more profligacy in proportion to their means, and a far greater proportion of funds diverted from their original purposes, than our government has ever exhibited under the present family.

Notwithstanding we may generally admit that virtue produces happiness, and vice misery. And although there can be no consistent lover of his country, but must like to see others take the needful care to secure happiness from that unalloyed and inexhaustible source, yet are there not many amongst us who feel ardently for the welfare of England; in whom greater care in individual practice and in influence would be promotive of a better and sounder state of society? Now although good laws cannot actually *produce* virtue,—nor, indeed, can that which is far better, because more effectual, the good administration of them,—yet simple, intelligible, tangible laws, might be so administered, as to produce a greater *tendency* to virtue than any mere human laws yet have, and which, having Christian maxim for its

chief basis, and Christian conduct for its chief object, might promote morality, and all the comfort and respectability so intimately interwoven with it, First, by opposing some of the practices which most obviously separate and remove man from his MAKER, and promote in their stead sobriety, honesty, ~~simplicity, and~~ ~~which~~ which are so favourable to that acquaintance with the will of DIVINE PROVIDENCE, which tends to faith, peace, love, and to every good work; Secondly, by promoting the prosperity of the nation generally, and of the present evil doers more particularly. Neither would the probability be small, or of small moment, that a code of laws, just in principle, simple in practice, effectual in application, benignant in effect, would find admirers in every civilized country, and, in various degrees, converts in most of their governments.

This government, in its laudable desire to promote the useful employment of the population, has granted loans to many public works, and they have afforded *temporary* relief to a comparatively small number; but if (by punishing, as near as possible, *every* public instance of

drunkenness, of gambling, of prize-fights, whether by dogs, or by their more brutish masters; of that vagabond idleness exhibited by thieves, and the numerous gangs of idle boys who are evidently training for the same lamentable employment; and of prostitution; and seize, and let for three years, towards the reduction of the national debt, all houses of ill-fame, as they are called, as promptly as possible, on satisfactory proof, promoted by a vigilant police and constabulary) they could apply permanent remedies, at no expense but what would be restored to them in revenue by the industry and honest consumption of those very people; surely, the trouble would be abundantly counterbalanced by the satisfaction of beholding the increased virtue, wealth, strength, comfort, and respectability of the nation; neither would it be a small matter, but best of all, that the JUDGE of heaven and earth would look down with approbation.

It seems generally, though not universally, considered, that the wants of our population exceed the productive powers of our land,

notwithstanding the calculations that we have sixty millions of acres of land, and that a good acre of wheat will feed three men, and a good acre of potatoes will feed six men, and all the rest of it. At this rate, if we chose to keep no domestic animals or cattle, and live on wheat, we might feed all Europe, or, if on potatoes, we could afford to allow North America and Africa also to join us as perpetual visitors. But however things may appear in *theory*, the *fact* seems to be, that although farmers are not, in the general, bad managers (though there is a vast difference), we are an importing country, and must continue increasingly to be so, if our population increase, as it seems likely to do. Now if such regulations as these were acted on, we should be able to give the farmer the present high prices for food, and draw largely of food and raw material from other countries also, paying them in our manufactures, and thus further increasing our employment and our wealth. These principles and practices would spread abundance through the land in a greater ratio and in a more useful manner

than we have ever seen ; but greater far, and more to be desired, would be the wonderful promotion thereby of national honour and happiness, under the blessing of DIVINE PROVIDENCE. And although the exciting motive for these remarks is the glory of God, in the mutual love of mankind, through Him, still, if any think little of this, yet see that these sentiments, if acted on, would exceedingly raise what is called the glory of the country, it is hoped that the motive of the writer would not condemn it in the eyes of those, but that they would meet the subject on what they might consider its own merits.

How vast a field opens before the contemplative mind, in reflecting, that perhaps nine-tenths of the injustice and cruelty practised by Englishmen on Englishmen might be thwarted and prevented ; that nine-tenths of the crime might be nipped in the bud, and a good branch ingrafted instead of that which is thus continually sinking the offenders deeper and deeper away from the ONLY SOURCE OF GOOD. Let none cloak their carelessness, or indolence, by cutting this matter short, with the

stale declaration that there always has been poverty and distress, and there always will ; for there is no one who is blessed with any near approach towards mediocrity of talent, but, if he did his best, would find it almost constantly in his power, by example and advice, to raise the tone of honour in those who come in contact with him ; and it is impossible to do good to others, from a right motive, without increasing our own happiness. And although it would be too much to indulge the expectation that these sentiments will be, for many years, adopted, to such an extent, yet, were they fully adopted, these fruits would be found ; and further, all approaches towards such conduct, in government or people, would realize its share of benefit.

CHAP. II.

CRIMINAL JURISPRUDENCE.

GRIEVANCES OF THE PRESENT CRIMINAL JURISPRUDENCE
OF ENGLAND; WITH AN INQUIRY INTO THE POSSIBILITY
OF AMENDMENT; MORE ESPECIALLY IN THOSE LAWS,
AND APPLICATIONS OF LAW, WHICH OPERATE TO THE
PROMOTION OF CRIME.

WHEN reflecting Englishmen contemplate the improvement of our criminal jurisprudence, either in its laws or their application, no soundness appears whereon to rest their weary and disgusted minds, except the jury system. Is not the rest a vortex of deceit and fraud? Insuperable difficulties arise in even the *contemplation* of digging into the rubbish of our legal institutions, for there is an unfathomable quagmire beneath, which would shake down any honest superstructure

bottomed on such principles, or rather utter absence of all right principle. No! if England wish to have good laws, let her turn her back on every atom of the present, except the juries and the judges: take the rock of honest rationality and simple justice, of which, be it remembered, a tendency to mercy and good-will forms an eternal and integral part; and build thereon a structure, whose beauty will consist in simple truth, and its value in honest, practical, and prompt usefulness, and the nation will cling to the valuable boon; so that all the nonsense, quibbles, and oppression of the old system will vanish as a dream.

Does not every discerning mind, that is not smothered with legal sophistry, observe, that nine out of ten evasions of justice arise out of legal quibbles, in one stage or other; which opportunities for quibbling possess, generally, no use, and seldom - even the rational semblance of use?

The difficulties then, in framing good laws, are not generally real, integral difficulties; but collateral, foreign, needless; so if a man,

of huge grasp of intellect, attempt to ingraft sensible laws on a stupid and fraudulent stock, he may spend the whole sessions, and not perform a tythe of what a man of far humbler pretensions might, with ease (if heartily supported, and untrammelled with the present system) carry in a fortnight.

Should the legislature now adopt a code of common sense and common honesty, and a young Englishman, at the end of this century, should find some newspapers of the present times, containing the details of criminal cases, how will his feelings, his understanding, his love of country, be outraged!

Talk of Catholic emancipation indeed! What is the dubious (because abused when possessed) claim of one or two hundred individuals, of a particular class, to participate in the loaves and fishes, and honours and influence of office, to the trammels in which the inhabitants of both islands are bound by her stupid, contradictory laws? He will not wonder at the extent of misery and fraud that then prevailed; for how could such a grievous and heterogeneous mixture as our

miserably defective criminal code, and its yet more defective application, produce other fruit? — a code, in which many scores of light offences are mixed up heterogeneously with the most depraved, abominable, and cruel, by one punishment, that of death, being awarded to them all. Can a reflecting observer marvel, that witnesses and juries, untainted with, and independent of the sinful practices of law, should recoil from participating in the guilt of sending a fellow-creature to stand, unbidden, before God, because he has committed a crime, which, though unquestionably wrong, can by no means be compared with the more heinous one of depriving the criminal of his life?

The practice also, of letting a real and unquestionably identified murderer go free, if the name of his victim, or his own name, be incorrectly spelled; as though it was his *name*, and not *himself*, that had committed the murder; or as though it was his *name*, and not *himself*, that was to be hanged, or transported; or as though, if he was accused of stealing a horse, and the crime was clearly

proved, except that the animal turned out to be a mare, if the actual crime committed was the one for which he was apprehended, though under that, and a dozen other misnomers, what can be more obvious, than that, under the clear proof of *his* guilt, *he* should receive the sentence of the law in the case, and *suffer accordingly* ?

It is really provoking to see with what earnestness a lawyer will set about finding, not whether the criminal is innocent or guilty, but, how he can best find out some quibble, or divert the attention of the court from the points that will fix the guilt on his client, however atrocious the conduct of the criminal, and known by him to be fact, by the account which he has himself given, to enable this counsel to deceive or mislead the court the better ; but it is almost diverting, though lamentable, to see how he will be applauded by the newspapers and in conversation, for his ingenuity. These witty gentlemen, who can find amusement in any thing funny, are not aware, or would seem to forget, that if they contribute to the poor's rate, they help to

pay for all the criminal prosecutions of the county, and that those expenses are doubled by this villanous conduct of the lawyers; besides that, the encouragement thus afforded to thieves, will increase the probability of themselves being knocked down, or having their pockets picked, or their houses broken into.

But the thieves, more systematic and consistent, remember correspondent facts, and reduce to nice calculations the number of offences to one apprehension; the further proportion of committals, and again of convictions; and yet further, the comparative numbers condemned and reprieved; and multiplying these numbers into each other, they exhibit so small a prospect of suffering, that, connected with the sentiment so general or almost universal among thieves, that it is their fate to be so, produces an exceedingly grievous degree of morbid feeling; whereas good laws, well administered, would add another idea to their notions of fate :—they would find, by experience, that if it was their fate to steal, it was also their fate

to be caught and punished: this simple, neutralizing addition, would soon annihilate the mischievous impression. And how easily might it be effected! instead of this, the honest industrious classes are made to toil for real thieves, and pretended thief-takers, as though Englishmen were made for the system, and not the system for them.

Again, as to the misnomer of the victim, is it the *name* of the victim that has been deprived of the natural life which it had pleased DIVINE PROVIDENCE to give, and not the *real* victim that has suffered this irremediable calamity? What can be more absurd than that, in matters relating to the *conduct* of society, we should be in the stupid and wicked practice of *looking more to the identity of names and things than persons and conduct*? Thus, if the commission of a known crime be clearly *identified with the offender*, what more can be thought essential? Yet, if he can *prove a misnomer*, or an error in the description of the weapon, or place where the deed was performed, or the exact description of property stolen, or whether it

was dead or alive, or the sex of the animal, these things, which have *no bearing on his guilt*, either in intention or fact, enable him to come off victorious ; and the circumstance is circulated among the thieves of the metropolis, and probably, wherever there is dense population, instructing them how to rob with impunity, and bid easy defiance to the laws.

But the temptations that are publicly allowed—youth and children, of both sexes, permitted to attend the fights of brutes, and more brutish men ; and to ramble, in idleness and filth, a prey to the most designing among themselves, as well as to the more experienced thieves and vagabonds—drunkenness and low gambling, more especially in proportion to the density of the population, where they are capable of the greatest mischief, disregarded by those paid for repressing it, blind at once to their own duties and to the sufferings of many destitute wives and children—the public excitements to prostitution—the vindictive tone of some of our laws, which, by visiting small crimes with greater punishment than some crimes of much more heinous hue,

morally reverse the relative situations of prosecutor and offender, and which the latter are very sharp sighted to discover and their imaginations to magnify; these, with other temptations too numerous and disgusting to dwell on, for which every opportunity is afforded, and a lamentable want of principle to guard against them, produce the crimes and enormities which astonish all who do not look at the causes, and the few who do look at the causes may naturally say, why how could it be otherwise while these things are allowed?

The ever permitting, in prisons, experienced thieves to have any, the least connexion with the young and early offenders, is so obviously mischievous, that no moderate expense, pains, or time, should deter the country from applying remedies without delay in every practicable instance. Indeed, no person should be suffered to visit a criminal inmate of a prison without bringing from a minister, warden, or overseer in his parish, a testimony that he appeared of sober life, and an obvious means of livelihood; and any one being detected in introducing whatever had an immoral

tendency, as playing cards (not that there would be any harm in them if they did not excite gambling or divert from the performance of duties,) immoral books or prints, spirituous liquors, &c. should be taken before a magistrate, and on conviction fined, and in default of payment, committed to hard labour. Idleness in begging and other necessitous children should be tenderly yet assiduously combated. If children, whether poor or rich, be brought up orderly, they will when out be cheerful and active; and if conduct or conversation in children be disgraceful, it would be a great kindness to them, to their friends, and to the community, to provide them employment and support : thus would the succession of crime be a good deal cut off, and their good behaviour would reward the country in a greater proportion than its expenditure, and it might be well for humane persons who encourage begging-children to learn, that from the confessions of criminals, begging in childhood was the immediate precursor of the crimes of very many of them.

It would seem presumptuous in a simple

and obscure individual never connected with either legislature or law to imagine he could frame a practical and useful code ; but it appears, the chief difficulties which English legislators have met for several centuries in their attempts to amend, have been the insuperable and fatal errors of the present code, nay, so impossible is it to engraft usefulness on a system of falsehood and nonsense, that it appears to the writer there would be more difficulty in making a single law tangible and useful, engrafted on the present plan, than in framing a whole set of useful laws under the simple heads of—means of prevention—discovery and apprehension—classification and employment of offenders, their good order and cleanliness—simplicity and promptitude of trial and punishment—lists of offences in classes, with maximum and minimum of punishment to each class, adapted to the mischievous tendency of the crime, the malevolent nature of it, and the real probability of useful warning to the offender or others.

Moderate rewards to the detectors of theft, whether under hue and cry, or previous or

subsequent discovery, payable out of the property recovered, and estimated with reference to its amount, and other circumstances.

An efficient magistracy, accountable for all their conduct to a superior body, to sit periodically.

A police, whose remuneration should always stand in the *inverse* ratio of the number of crimes committed, their magnitude and atrocity.

A strict injunction in the legal code to magistrates, judges, and juries, never to suffer any convicted criminal to escape a punishment provided for his crime, unless his state of mind exonerated him from being accountable for his actions.

With the exception of members of the legal profession, there are few reflecting people in this country, but would heartily join in the following positions, and the number is likely to increase and preponderate more and more.

Now whereas it appears that the laws of these realms are inadequate to their object, absurd in the neglect of their application to offenders, particularly the youth, and appear,

both in their provision and administration, calculated for the gain of the lawyers, instead of the good of the people; in which legal nonsense and lies have very much usurped the place of common sense and common honesty; and it appearing, after a trial of many centuries, that the evils remain unmended in principle and increasing in fact; so that the civil law is still oppressive and injurious, and the criminal law must needs be deficient in a country presenting the following facts:

That few persons think of going to bed without barricading the house like a castle.

That there are thousands of thieves, and thousands of receivers of stolen goods, in the metropolis alone, *known as such to the police officers*, who are suffered to carry on their abominable practices without the interference of those who pretend to enforce the laws.

That legal documents contain much sophistry, lies, nonsensical legal technicalities, and foolish repetitions; affording loop-holes for criminals to escape, in which they are aided by the judges with astonishing vigilance,

where there is not the slightest tendency to reduce the certainty of guilt ; and which must tend greatly to the encouragement of those desperate characters thus let loose on society, as well as the encouragement of their comrades.

That whatever may be the morbid or interested professions of lawyers, the people of these kingdoms have now acquired, from habits and education, the capacity to discover that common sense and common honesty would be more effectual to the attainment of honest objects, than all the legal nonsense that ever was uttered.

That a simple code of laws, judiciously, assiduously, and promptly applied, in all their stages, would do more good, in three months, than the present mongrel and ridiculous code could in as many years ; and that the oppression of the innocent, the screen of the guilty, and the wages of the iniquitous, would thus be exploded ; leaving the honest people delighted at their deliverance, and astonished, that, with an enlightened and honourable government, they should have submitted to it so long.

They are becoming too enlightened to stand it much longer; and, with a government like ours, a model of sincerity, containing such a fund of wisdom, and still more with such a Prince at the head of it, what may not be looked for in the career of honour? Not that, falsely so called, the honour of the ruffian, who offers to repair one mischief by tendering another still more abominable, but that of the most honest, sensible, and kindly feelings of our nature.

That fraud on one side, and resentment on the other, operating through a morbid state of law, and its administration, together with the long uncertainty and expense of law-suits, must be continually undermining the constitutions, as well as pockets of its victims; and, as those passions are indulged, tend to place the aggressors at least (if not sometimes the sufferers also) further from the only SOURCE of Good; the chief sweetener of this life, and the only HOPE of the next.

That if these be the circumstances of the case, (and that they are, England cries

aloud,) it is surely time to look for a substantial remedy.

That were legislation conducted on principles of common sense and justice, and with no view but to the good of society, there need not be any law immoral in its tendency, or generally difficult in its application.

Were laws thus framed, and steadily applied, there is reason to hope that the receivers of stolen goods, and those who have no obvious means of support, would be reduced to a very small proportion of their present number, and that the traps to ensnare neglected infancy and youth might be nearly swept from our land.

That if it be asked why, if the laws of England are ill adapted to promote their professed objects, as the abatement of crime, the protection of persons and property, the discountenance of vice, the respectability of the nation; how is it that such laws should have been framed? and still more, how is it that they have been endured by the legislature for so many centuries, with scarcely any practical improvement in them, though

thousands of acts, on the same spirit and principle, have been passed, chiefly as amendments and explanations ? It may be replied, as among the reasons, that the body of many of the laws, and the garb of almost every one, have been the productions of a class of persons, whose apparent interest lay in their uncertainty and obscurity ; the civil code chiefly, and the criminal as connected therewith, and administered through the same medium ; added to which, revenge and cruel policy have sometimes been excitements. For instance, a member of either house may have recently had some sheep stolen, or the bank of a fish-pond cut, or some young trees destroyed ; all which is very wicked no doubt, and the perpetrators should be found if possible, and severely punished : but so angry has the injured party been, that he has defeated his own purpose by carrying a revengeful, instead of a salutary punishment : and juries, either more honest or more sensible, or not having themselves suffered, and so having no vindictive feelings to gratify, have often outraged their oaths by declaring

the guilty innocent, lest they should be the means of perpetrating a far greater crime than that for which the criminal stands before them to be judged.

Englishmen carry on the concerns of trade and manufacture with more judgment and success than any other nation, and find that common sense and common honesty, with assiduity and prudence, always work best in the long run ; they also far outstrip other nations in benevolence, and almost every virtue that adorns the heart or the understanding of human nature ; in short, where is the branch of useful science, or philosophy, in which, as a nation, we have ever been equalled, except upon a very few solitary points ? And are we to suppose, that such a nation is made up of such fools, that no laws, but the contradictory hocus-pocus of English jurisprudence, can be made tangible to their wants, and combat their differences and crimes ? Is it to be supposed, that good laws would find in juries or judges nothing in common, to amalgamate with them ? What is the reason that our laws need to be hooped

round with sophistry, and lies, and ridiculous distinctions and repetitions, but that, having introduced some of the senseless jargon, we need more to guard it, lest legal attempts at nice disquisition shall yield a loop-hole for escape, unless guarded by some more stuff of the same school ?

For instance, if a *person* be identified with a crime, what odds is it whether the name of the party be rendered correctly (not but that it is desirable) ? Is it his *name* that has committed the crime ? Is it his *name* that suffers hanging, or transporting ?

Again, how ridiculous to go into a long string of minutiae, which have no bearing on the fact, or on the malignancy of the crime.

Thus a stage-coachman drives so furiously, that every one but himself expects mischief ; well, a fellow-creature falls a victim to the man's barbarous indifference to humanity and justice ; and the lawyers run on with a nonsensical rigmarole about how many horses there were to the coach, and on the trial it turns out that they are mares and geldings ; and the judge, though we will suppose a wise

man in the main, exhibits, as they all do, in such cases, a foolish, and worse than childish vanity, in showing a carefulness that the prisoner should have the benefit of all legal blunders out of legal nonsense, and they turn the ruffian loose on society again, more hardened and more depraved, by the sample of utter injustice and folly which has opened the door to his acquittal, conveyed through the medium which he is taught to venerate as an abode of truth, honour, and dignity; but permit us to ask, if a man is to be run down by a coach and killed, what difference does it make to him whether horses, or geldings, or dogs, or cats, draw the coach? Is he the less killed, or the coachman less blameable, because of all this ridiculous minutiae? Oh, it is worse than childish nonsense; and whatever lawyers may say, plain practical men can see, that, if lawyers were got rid of, there would not be the least necessity for it.

But it is lamentable to observe, how the fine minds of the judges seem sometimes half spoiled by legal technicalities, which

have no capacity for producing any effect but that of diverting justice, and consequently inflicting persecution on those who afterwards become the victims of the criminal, as well as encouraging him to the repetition and increased malignancy of crime, by taking the impunity of the past as a guarantee of the impunity of the future; and not the less so for the solemn manner in which the judge warns him to let his escape be a lesson to him. Yes, yes; it will be a lesson to him; much he cares for sentimental reasoning; he might have learned it once, before his feelings were blunted by cruelty and selfishness.

A few months ago, about the same time as the case just alluded to, a man cut off the head of his child, (at least it was his wife's child,) and left the head of the little innocent set up on the table, so that the fixed glare of the eyes should meet those of the mother, as she entered at the door; this wretch escaped punishment, because, though convicted on proof beyond the shadow of a doubt, they failed to show whether any, or what was the name of the little victim: how utterly foolish

and abominably wicked, the jargon that would support the escape of a monster, under such circumstances.

Some months after, a man was proved to have stolen a piece of ordnance from the Essex side of the river, opposite Woolwich, and to have broken it up, and had it melted in Whitechapel; this man would, it appears, have been got off by his counsel, had the other failed to prove that bit of Essex ground to have been a part of Kent: now let us ask, what bearing on his guilt could this circumstance possibly have, that, many centuries ago, a bit of Essex should have been declared a portion of the county of Kent, because possibly it had the same proprietor as the Kentish land in that neighbourhood?

Corder, the selfish wretch recently executed, was declared by the grand jury to have committed ten distinct murders on the body of Maria Marten, and if any one of the declarations was true, the other nine must evidently have been untrue; yet twelve Englishmen, whom we have a right to suppose of unquestionable honour, declare him

guilty of each, which could not be unless she had ten lives. One count declares that he killed her by a pistol-shot in the face, of which she instantly died; another of a sword-wound in the side, of which she instantly died; another of strangulation, of which she instantly died; another of burying her alive, of which she instantly died by being smothered by a specific number of bushels of various descriptions of earths: with a long twaddle about the value of the weapons, the worthlessness of the gravel and other earths, the hand by which the murders were inflicted, and other nonsense. Now what possible effect can these particulars have except affording loop-holes for escape? They can have no bearing on the guilt or innocence of the party, either in fact or degree: and although so utterly ridiculous, that they would disgrace a nation of savages, yet one might willingly let them alone but for the awful fact, that they are continually affording the means of escape, and thereby encouraging the commission of fresh crimes. With those who consider an oath to be a sacred pledge, it is wonderful that their

consciences have been able to bear the outrage of such a system, which they know is surrounded and saturated with false oaths in almost all its parts; they might see that there must be something rotten in it.

Can any one doubt of its being offensive to the ADORABLE BEING, for men thus to dare to call HIM to witness on trifling and on false occasions? or to hinge our hopes of HIS mercy, and HIS help from sin, on our believing what we know to be lies? Surely it is consistent with the practice to call them sacred oaths, for thereby we add another lie to the number. Pardon this strong language, brethren; it is not you but the system that the writer has enmity against, but he feels that our God is mocked thereby: and what use is there or can there be in these things? Is it possible that honest men can suppose simple truth insufficient for honest purposes?

May not we Englishmen take the liberty of saying to the government and the country, Go straight-forward, proceed calmly and deliberately; loathing every one of the lies of the old system, and all their needless and

deceptive forms and practices ; remembering that, as men of like passions and feelings, you need not be contriving in the dark ; surely you know as honest men what other honest men will want ; and is it to be supposed the ingenuity of honest men, aided by the powers of the government, and countenanced by the feelings and approbation of the honest part of the nation, will sink in a contest with crimes ?

But we want laws of common sense and common honesty, and men to enforce them, constantly vigilant, particularly in the prevention and discovery department ; and **THEIR INTEREST** *as much as possible made to tally in exact accordance with the* MINIMUM OF CRIME : we should also be prompt in trial and punishment ; rigid in classification and order ; incessantly alive to the morality of all prison inmates ; and is it to be supposed that English juries would be slow in incorporating with the honest decision from unsophisticated statements ? or that after such a system were once established, the attempt to return to the sophistry of the lawyers would be tolerated ?

By these means detection would so generally and rapidly follow crime, and punishment never loiter far behind detection, that honesty would be declared the best policy, even by many of the thieves themselves; and deviations from rectitude, whether of cold calculation, as robbery; or of yielding to the temptations of sensuality, as drunkenness; all would rapidly diminish among us.

If the spreading of crime arise from bad education, and example; immorality and idleness, and their consequences—destitution, cruelty, and recklessness of character, ready means, both in and out of prison, of instruction in crime, infused with inviting appeals to the worst passions of human nature; a hope in the breast of each that whoever may suffer he shall escape; and the facility with which stolen property may be disposed of to those, perhaps the most mischievous of all villains, the receivers of stolen goods; it seems obvious that a tangible if not a smooth path is open to the legislature; and the sooner they begin to deliberate on the subject, the sooner they will be likely to enact laws, at once more

worthy of themselves and the nation, and calculated to raise the standard or degree of virtue and of comfort in thousands every day of their lives.

Should any object that society is not ripe for such a code of laws, we may reply, that good laws assist a community of good offices; but if the virtue of society must *always* take the lead of the virtue of the laws, we must say that it has a needless load, and hardly receives fair play, or is enabled to make that progress which assistance instead of hindrance would so much promote.

In suggesting principles and materials for a code of laws, it may be as well to premise, that prevention is better than cure; and, in the case of English jurisprudence, some of the greatest evils perhaps, are those laws and practices which are appointed to destroy what they really increase, and nourish those they pretend to starve.—First then, if we may be so bold as respectfully to suggest such a thing, let government consider if they are clear of encouraging drunkenness, or any other crime; and perhaps, on calm consideration, they will

see an imperious duty for them to perform, in increasing the duties on gin and other distilled liquors; then having in these and other respects cleared their own path, there would at once be most consistency and most prospect of success in attacking the very germ of crime, and adopting a system of payment to those employed to suppress, *precisely in inverse ratio* to the number, amount, and malignancy of crime committed. On this head permit the digression of asking—would any one in his sober senses begrudge to the primary conservators of the peace of society, the same sum for keeping us clear of crime as is now spent in detection, support while in confinement, prosecution, and punishment, with all their auxiliaries? Nay, so impressed is the writer with the importance of this feature of jurisprudence, much as it may be sneered at for its novelty, that, as an Englishman, he would even be willing to give a contract to judicious honourable men, as police-officers, to pay them what these things had previously cost annually; and increasing in proportion to the increase in population, deducting, not the expenses

that still occurred, but a per centage upon the amount stolen, never for one penny of this by any means to be paid to the sufferer, lest some should be so base as to complain where they had not suffered, for sake of the return; but this per centage, deducted from the salary or amount of contract, should operate in the relief of the contract fund, and a specific scale of reduction also for every other offence committed in the district—as murder, rape, assault, &c. the heinous offences to be provided against by a far higher ratio of reduction in the amount of salary, than the smaller offences; this would make it the interest of every police-officer to look after every irregularity that was accustomed to lead to crime, and to be most vigilant in the most fertile sources of crime, and those that led to the most mischievous sorts of crime. It would be their interest to look vigilantly after the public excitements to prostitution, to public drunkenness, to receivers of stolen goods—it would encourage them to a watchful and judicious care over those persons who had no obvious means of procuring a livelihood (no

novel practice), and particularly juvenile offenders. Now it is impossible to deny that this system would make it the interest of police-officers to hunt out offenders with all their powers; and it is notorious, that with the present system the number and heinousness of offences committed in a district, do, from various causes, increase the income of the officers of that district; and if this plan be adopted, and it so turn out from increased vigilance, rational and tangible laws, and the spread of religion, justice and benevolence, that in any district the offences were reduced to little or nothing, it should be considered a point of honour not to reduce the terms of the police; for, if they could keep their district in order, who would be better deserving of their salary? and what honest and rational creature could for a moment doubt of the obvious fact, that it must needs be better to pay any given sum for the *prevention* of crime, than the *punishment* of crime; nay indeed we may go further, for as the laws of England declare that the sole motive for punishment is to deter from subsequent crime, it would

be obviously better to pay the money for actual prevention, than to get all the present committals, trials, sentences, and punishments performed for nothing; for crimes do increase in a greater ratio than population:—and whatever may reasonably be urged in favour of the present system, must apply with more force to any more innocent yet more efficient means.

If this feature be adopted, the duties of police-officers must be committed to them with very clearly defined bounds; for, as they will become a party in the case, and every disorder is committed against them also, and impoverishes them, they may sometimes exhibit more zeal than prudence, both in the prevention and apprehension departments; however, they will have sense enough to discover that the prevention department will be the nail for them to drive with the most effect; and they must be placed under the surveillance of a superior power, not however allowing that to possess vexatious hindrances. If the per centage on all crimes be the medium of reduction, it should be rather low; but if

a maximum of amount of stolen property be taken at, say one-fourth of the present amount in that district, and the offences against the person on the same standard, it is clear the per centage they should be liable to on the excess beyond the said rate, should be a high per centage.

The whole country should be divided into districts, containing about fifty to one hundred thousand inhabitants each, and adhering to parish boundaries as much as possible, so that it should rarely happen that any parish formed parts of two districts, except where caprice had picked out distant spots from the bulk of the parish, disregarding even wide rivers, and other natural, obvious, good boundaries.

In each district there should be an office of record, all complaints should as speedily as possible be lodged there, and copies of all the statements forwarded to the nearest police-office immediately: where the office of record was not near any police-office, the inconvenience, though great many ways, would be partly obviated by the post-office, and each police-officer should be allowed to communicate

by post, without charge, to any other police-officer, relative to horses and other property stolen, when he had any suspicion that they had, or would be likely to be taken in that direction, and all letters solely relating to the police or its duties should be franked by the magistrate, after he had read and sealed them.

The points of selection for the residence of a police-officer should be the most populous part of the district, and the highest ground; the house should be furnished with a telegraph for day and night operations:—thus the stealing of a horse or bank parcel might be conveyed over the whole island in an hour, with particulars of the place of robbery, description of the property, and so far as was known of the thieves, the direction they had taken, and their mode of travelling. The expense of such telegraphs need not be very great; and what honest or sensible man would or could begrudge it? We adopt the system of telegraphs for the security of ourselves, and annoyance of those with whom as a nation, or its government, we have quarrelled: is it not still wiser

to adopt them for the security of the sufferer, and a means of discouraging the offender from continuing his crimes, by thus enhancing the risk above the par of the value of the property coveted. Further circumstances relative to suspicious appearances of recent passers, would be added at the other telegraphs as they arose, and interchanges made with the original telegraph and those in the direction which the suspected passers had taken. When an officer neglected to pass the signal, he should be fixed with a share of the amount of loss his comrades were liable to. Hazy weather, absence from the telegraph on official business, and other unavoidable hindrances, could be spoken to in excuse or mitigation by his neighbours and others; and his wife or other person residing in the house should be instructed, not only how to signal him home, but also to answer and pass the signals when from absence or illness he was unable to do it himself.

Police-officers should be authorized to detain suspicious persons, without any reference to counties, and without waiting for a magistrate's

warrant, when delay would endanger the practicability of eventual detection; they should also be allowed to take a greater latitude on occasion of a known crime committed. For instance, if a bay horse were just stolen, and reason existed for supposing the thief to have taken a specific road, the officer in that district would be warranted in detaining a bay horse thus passing, though under shades of suspicion which but for the robbery would not be held to be a warrantable interference, and after all, much must be trusted to the discretion of officers if we would have thieves detected. They should also be empowered to demand reasonable assistance in the same degree that constables now are.*

* The noble-minded Marquis who recently restored the Hue and Cry Record, naturally expected that it would have its natural obvious effect; but it would appear that sufficient allowance was not made for this circumstance, with which our police system is saturated, that the police, who are quite inadequately paid, know that they clear more by following up five per cent. of fifty thousand cases of crime, than they could by following up twenty per cent. of five thousand cases; in short, good regulations and wise laws are very good; but if we place men in a station wherein it is their interest to neutralize a class of laws, and commit to those very men the primary administration of that class of laws, what can we expect? We might as well sow good wheat on the waves of the Atlantic, and

Thus the most valuable, because the most innocent, practicable, efficient, and economical object of criminal jurisprudence, the reduction of the number of crimes and criminals by vigilant oversight, and removal of temptation, would be extensively and permanently found in the medium of its being the interest of those to whose charge it was committed, to keep down to the utmost the number and heinousness of offences, which would be a perpetually operating principle in those who were appointed to look after them; so that whereas it is now the pecuniary interest of police-officers that every germ of crime should unfold, should ripen, should scatter its seed into ground richly prepared to receive it, by the negligence of our legal institutions, so by this plan it would be their constant interest to

expect a crop to reward our labour; for, according to the present system, if the police worked the thieves out of the market, though they would make a good thing of it the first year, they would, by continuing that rate of vigilance, cut off the bulk of their indirect income. It is painful thus to speak of men who are so tempted; but they are less to blame than the system they are placed in; and were they put on a footing of common sense, these very men would probably become immediately some of the most useful members of English society.

prevent as much as possible every such plant from getting root at all, much less to suffer it to expand and taint the air, or ripen and scatter its seeds; they would be as great fools to do so as a farmer would be to encourage the breed of rats in his barns, not that they would be allowed to knock them on the head *sans ceremonie*, but they would be armed with the power of rooting them out constitutionally, while their interest and their integrity would go hand in hand in keeping down to their utmost the number and heinousness of offences, the succession of criminals, the excitements to crime, as roving idleness, &c. &c.; nor need such a system trench unconstitutionally on the liberty of the honest. Not one in ten of the stolen horses that now find their way to the continent or the dog-kennel, would then; for immediately that a horse was stolen, it would be the interest of the police-officer of the district to signal and write to his brethren on the coast, and in the districts where horses are slaughtered, and both would be pleased when one paid the other a commission of twenty-five per cent. on his liability,

as consideration for the recovery of the horse, and knew that thereby he had saved the remaining seventy-five per cent. from falling on his own shoulders: the owner of the horse would also be pleased, and so would all his honest neighbours, for they would say to each other—"So, neighbour, such an one has got his horse again;" and they would smile or laugh according to their tempers; in short all would be pleased but the thief, and if they did not hang him he would have more cause to be pleased than any of them, and would not be half so likely to steal another as if he had got well off with that.

As every offence entered at the court of record would go to the reduction of the salary of the police-officer, it should be kept by a man of undoubted integrity, and all persons having been robbed or otherwise injured, should have free access to the article relating to his case immediately it was entered, and once afterwards if desired; he should also immediately confer with the police-officers, to give any further explanation that might afford a clue to the detection.

It might be better not to have any unpaid magistrates; the notions of independence of some of them are so productive of conceits and pride, that although they do considerable good, it is to some not clear but that they do more harm by keeping more efficient men out of office.

Every offence should be recorded at the examination, with the names and addresses of prosecutor, witnesses, &c. yet no bar to calling other witnesses or evidence.

Care should be taken to state the naked truth, without any extraneous matter, as to value of weapons, value or sexes of animals, whether alive or dead, as to which hand committed the offence, or very generally as to the probable motive of the offender, and most carefully abstaining from all lies, which are now introduced into perhaps every indictment; is this agreeable to the dignity of the courts? If courts are held in the infernal regions, such practices doubtless there prevail, but we should strive not to be like unto them. Identity through every stage to be considered as belonging to the individual and not

to his name, though the latter is useful as a means of rendering the case more tangible, and the same to apply to the sufferers. No advantage to be taken of incorrect descriptions, but if the offence really meant by the prosecution be proved against the individual, no misnomer of person or thing should avail to screen him from the punishment.

As detection should as speedily as possible follow crime, and magisterial examination with all convenient speed follow detection, and trials by their frequency, and where practicable, invariably clearing off all the cases up to the day before the closing of the court, might afford as little interval as possible between detection and the commencement of the punishment, so the latter should at once be applied on conviction; for few, if any, circumstances palliate more the wholesome dread of punishment than uncertainty and distance. So a police, whose interest lay in its vigilance and frequent trials, would constitute invaluable auxiliaries. Now as every vagabond increases the misery of a country, and reduces its real respectability a little, so

measures calculated honestly to produce these effects would raise the country exceedingly in the scale of comfort, happiness, and respectability. As to pecuniary distress for want of profitable employment, if employment were doubled, with crime and profligacy doubled also, the distress would be increased, there would be more destitution, more misery: so if our rulers cannot lead us into, or allow us an inlet into more trade, yet if they will place our penal code on the basis of common sense, and thereby reduce the quantum of dissolute habits, they will do more towards the comfort and respectability of the nation.

All the real crimes, recognized as such by the present laws of England, might be placed in a few classes with a maximum and minimum punishment to each class, exhibiting considerable difference, so as to provide for such degrees of severity as to reach hacknied malignity on the one hand, and on the other provide for the degree of mercy which is unquestionably demanded in cases of occasional sudden temptation of youth, and recent uprightness of character.

On conviction, the jury would have to say whether in the first or second degree they considered the culprit guilty, or to which the circumstances altogether most nearly approached, and the judge would pronounce sentence accordingly; there would not then, as now, be frequent appeals from the jury to the judge as to the extent of punishment, half inquiry half stipulation, before they can resolve how to state a matter of fact on which as fact they have made up their minds. This classification of punishment with offences should differ much from the present code which values a sheep at a higher rate than a child, and sees in the stealing of the former a blacker crime than in that of the latter. Oh money! money! how does the love of thee blind the eyes of the wisest of nations, and blunt the feelings of the most humane and magnanimous!

There appears a manifest necessity for degrees of punishment, also for degrees of clearness of guilt, which could also be taken into account as well as and along with the considerations of degrees of malignancy of

intention. Cases not unfrequently occur in which the judge offers a decided opinion of the incompleteness of the evidence, yet that evidence has convinced the jury, they have returned the prisoner guilty, and he has afterwards confessed the crime. There occurred recently the case of a young woman who had poisoned both her parents in one cooking; she was tried for the murder of her father, but the evidence appearing to admit of some slight shades of doubt she was acquitted, and after some months proceeded against on the same evidence for the murder of her mother, and declared guilty; she afterwards confessed to the poisoning of them, and gave as inducements the very circumstances which had been adduced on both her trials as circumstantial evidence of her intention of the crime, and also confessed to the murder of her child. Now although the vigilance with which she was followed up occasioned her to reap at last the seed she had sown, yet how many cases occur in which the evidence almost amounts to certainty in the breasts of a jury, yet they say we have a shade of doubt and

cannot bring our minds to send the criminal to the gallows; yet were any punishment short of that allowed they would unanimously yield him up to it; and be it remembered that by many ruffians the punishment of solitary confinement would be more dreaded than death, and still more would it be dreaded if once a-year they were allowed to tell their comrades how they liked it; besides, some few who have been executed have afterwards been unquestionably proved innocent, generally by the confession of the real criminal; and there would be this advantage in solitary confinement, over hanging, that one could always be remedied, the other never.

The crime of rape has frequently turned of late upon the degree of resistance of the victim, and if the ravisher could bring forward some comrade to swear that he was near and did not hear her scream stoutly, she has been deemed more or less of a consenting party, and the ruffian is turned loose on society, encouraged by a judge and jury of his country to join the devil in deceiving his own heart by persuading it to divide the guilt between

himself and the forlorn creature whose happiness and character he has blasted, and whose delicacy of honour and sentiment he has withered in outraging; yet because there is no intermediate or scale of punishment he goes free, though that he is innocent of a great crime in the sight of the ALMIGHTY, as well as the laws of his country, is perhaps not *imagined* by any one.

A large portion of the greater crimes hinge thus upon shades of extenuation as to the malignancy, and shades of probability as to the fact, which very details of extenuation themselves generally fix the party with various degrees of guilt; but for want of the aforesaid scale to meet shades of probability and shades of malignancy with shades of punishment, he is turned adrift, a living and strongly exciting encourager of crime with his associates by being thus hardened in villany, and his associates are reminded even by the sight of him that committal and conviction are very different affairs, by no means necessarily connected.

As to damage of all sorts to property by removal, injury or destruction, may we venture

to recommend, out of the means or earnings of the criminal, restoration of the value to the sufferer, and four-fold to the fund for support of the police, and if much malice were apparent, compensation to the fund might extend to eight-fold, and if judiciously and vigilantly followed up might be rendered pretty effectual; but when the earnings, or means of payment, are unequal to the task, transportation appears far preferable to turning the prisoner loose again in the mother country, either after long or short terms of imprisonment.

It would be well for this distinction to be kept in mind, that when a criminal has been compelled to make satisfaction to the sufferer and to society, it is a *bona fide* satisfaction; but where it is sought in the sufferings of the criminal it is in some sort the satisfaction of revenge, although for example sake, and justice is said to be satisfied; but justice does not reach the person robbed, neither is society remunerated the expense she has been at in the process of holding the rod of terror over the criminal, and all others who may happen to be so disposed.

CHAP. III.

CIVIL JURISPRUDENCE.

CONSIDERING that the lawyers have gotten us Englishmen in their clutches agreeably with their unjust and needlessly true maxim, that "possession is nine points of the law," may we not honestly or sincerely say to them, "as the pleasure *you* derive from the oppression and terror in which you hold us can by no means equal the misery you inflict upon *us*, we entreat you, if you hope for mercy yourselves, to show a little towards us."

In a thoroughly well ordered community would there be any class but such as were useful; may we not venture to say, a blessing to the rest? but is it so with the lawyers? No; but rather that they have been the bane

of this country for centuries, does not all England cry aloud? But permit and consider this simple question, is there any need of all this? Are the relative natures of Englishmen and lawyers such that the former cannot exist without the latter? Are we such fools that with our excellent monarchical, parliamentary, and jury systems, we would, if we could help it, mix up our disagreements with sophistry and lies for the gain of the lawyers, and the still greater gain of the devil? if we had a just, simple, tangible code of civil jurisprudence, made not by lawyers nor for their benefit, but made by honest Englishmen for the benefit of honest Englishmen?

Permit also the consideration of this fact, as every act of obedience to the will of the GREAT CREATOR brings a man nearer and more acceptable to HIM, and every item of rebellion to that will moves him further off, so does the simple, humble, obedience of every good man bring a nation nearer to God, and the strife, injustice, and cruelty of every bad man move it further off. Is it then a small thing that laws should be so constructed

as to promote among us hatred to each other? and can it be questioned that the law's delay and expense, and the lawyers' tyrannical and deceitful impositions, produce hatred from thousands every year, while its victims are pining in want and undeserved disgrace?

Permit us to inquire on what ground the whole paraphernalia of law and lawyers presume to lord it over the people as they do?

Had a really honest man two sons, one oppressing the other as the lawyers oppress their countrymen, he would sympathize with and earnestly endeavour to relieve the sufferer; but how would he deplore the tremendous prospects that he could not help but fear for the other; and if he succeeded in placing them on a footing of mutual justice, which nothing but the loss of life or reason would deter him from attempting, would he not confer the greater benefit on the oppressor? Surely not religion only, but reason, would answer, yes; let not then the friends of lawyers strive against such laws

as will enable the honest to be just, and compel the knave to be so.

Permit us just to ask if there be any great national difficulty, and extensive cause of mischief and distress ; of injury and revenge ; and the causes thereof can be traced in any considerable degree to a bad system ; and a specific class of persons : and further, if it can be shown that such class does fatten on those wrongs and glory in them ; and such persons from talent, education, habits, and connexions, have almost overwhelming opportunities of continuing those tremendous, because very wide-spreading mischiefs : and further, if in great matters as well as small, honesty is the best policy for the welfare and happiness both of nations and individuals : can any one who reflects on these things deliberately believe himself an honest man if he neglect candid, fair, straightforward, opportunities in conduct or influence of opposing all such monstrosities ?

If the law interest can show a natural, just, or original claim to put the property of the nation in requisition, let them have it ; but

if men are professedly made lawyers for the population, and not the population made for the lawyers, truly let us have just as much of them as is good for us, and not allow them to cram their hands into our pockets without our leave, and say to us, you sha'n't have justice unless you bribe us to allow it.

Although the expense and uncertainty of law-suits operate beneficially by promoting prudence in avoiding persons and transactions likely to lead to litigation, yet the disadvantages produced by the want of cheap, ready, and substantial justice to the sufferers, and the still greater evil of encouraging men to screen themselves under bad laws, thus presenting them with a bounty on villany, so altogether weighs up the other side, that one would ask leave to suggest, that in every district, (and if the system relative to courts of record for criminal offences be admitted, the same boundaries may do for each) that in every two such districts there should be established one court, sitting once a month for the two districts, for the settlement of all debts under five pounds, yet not less than

forty shillings, and in the same building a court should be held once a month also for all debts under twenty pounds, and not less than five pounds; that the court for the lower sum should consist of a judge and five jurymen; and that for the larger sum of a judge and ten jurymen: the same functionary might preside in the courts of as many districts as was reasonably convenient to expect of a sensible, confidential, servant of the king and country.

That the proceedings should be somewhat after the following fashion: A plaintiff applies at the court-house any day but court-day, or the Sabbath-day; gives his name and address; states the name and address of the defendant, and the sum he claims, at least twelve working days before the court-day; receives a ticket with names of plaintiff and defendant, day and hour of the court meeting; on a stamped paper of five shillings, if in the lower court, or ten shillings if in the upper court; and pays for stamp and expenses eight shillings, if to the lower court, or fourteen shillings if to the upper

court. The officer leaves, not later than the next day, at the defendant's house, who must be a resident in the district, a copy of the complaint as a summons, containing amount of demand, names and addresses of parties, direction to the court, and day and hour of meeting; that on the cause being called, the plaintiff is to deposit 3*s.* 4*d.* if in the lower court, or 6*s.* 8*d.* if in the upper court, for the jurymen, at the rate they are now paid, 8*d.* per man per cause, which however is quite too little, and the plaintiff reads the account or the heads of it if long, and states his tale either by reading or extemporaneously in as few words as he can be induced to do it, and if he begin with any flights of fancy, he should be instantly stopped from that, though allowed to resume the simple narrative. When he has been heard out, or the judge and jury think he has been heard as much as fairness demands, the defendant is then at liberty to reply under the same restrictions as the plaintiff had been; the plaintiff then calls his witnesses to substantiate his statement or shake that of the defendant. When a

witness is done with by the party calling him the other party may cross question him; the plaintiff's witnesses being done with the defendant may call his, and they are to be examined in like manner: no comments to be allowed either party after he has had his speech: of course the judge and jury would have precisely the same power to examine and cross question as in all other courts. Either may employ counsel at his own expense, but on no consideration shall he have any claim on the other for such expenses; either party may bring a friend either legal or not to speak for him, but that excludes him from speaking himself; all the payments to the court to be borne by the losing party, with this condition, that should the defendant lose the cause and complain that the plaintiff had not given him two weeks' notice of his intention to proceed by law, previous to the summons, and the plaintiff could not state that he had, the expenses should be borne equally between them; yet a two-penny post letter should be deemed good notice, and the declaration of the defendant good

evidence on his describing the particulars and circumstances in an apparently consistent and probable manner; as the expense of bringing many witnesses would partly neutralize the object of economy. A reasonable time should be allowed for payment, which if not kept up to the day, an order for seizure of goods and chattels for the whole to issue on application of the plaintiff.

Should the stamps not be equivalent to those now used in the settlement of claims to the same amount they ought to be rated higher, for there is neither reason nor justice in trenching on the revenue at every turn because abuses exist in other bodies; and it may be recollected that the payment to the revenue would be little, compared to the saving of expense to litigants.

Instead of title-deeds, leases, &c. being drawn by the lawyers, an office should be opened in each district (already alluded to for criminal establishments and civil law proceedings) for recording all transfers of landed property, leases, mortgages, &c. containing lists of the property in the district

in local arrangement, names, addresses, and nature of tenure of proprietors, copy and lease-holders, and all who had right in possession or expectancy, with dates of transfer by sale, lease, legacy, &c. or however intended to be effected, with index of locality, and index of names of parties.

This would show first who were the owners, and who in possession, and on what tenure, at the commencement of the system ; secondly, all subsequent changes of ownership, whether by transfer by the then owners, or reversion of their claims by testamentary documents or otherwise ; thirdly, the parties who possessed right by lease, with the term, rent, and all conditions, expressed in a few words ; fourthly, the amount and particulars of every mortgage of any property, whether freehold, copyhold, leasehold, or otherwise, with the date of execution and withdrawal, if withdrawn : and copies of any entry given at any time, on payment of the rate provided for that service, to be estimated according to value and length.

By which these advantages would be gained :

that at first very generally, and after a few years almost universally, the goodness of titles would be unquestionable, both because the records relative thereto would be continued uniformly and consistently, proving at all subsequent periods who possessed the beneficial interest of any given estate at any given period, and because no legal blunder would ever occur ; but the simple matters of fact being invariably entered in the books, with the signatures, seals, designations, and addresses of the respective parties, and attested by a friend, to accompany and identify, if needful, and an attested copy given on payment for as often as required, the doubt of legality would be annihilated, as regarded the bargain and its contingencies.

Also all borrowing and lending would be placed on a most convenient footing for all honest intentions, because all mortgages with amounts and all particulars being attached to the account of each particular property, the borrower would have no difficulty from the doubts of the proposed lender, and the lender could incur no risks from ignorance of

other mortgages, beneficial leases, &c. neither need he doubt very widely as to the value, when he could so readily see what it fetched whenever it had been sold.

The temptations to fraud through these mediums ceasing, we might hope for some reduction in the total quantity of villany in the country.

And lastly, by the respective offices charging at the same rate for the business performed as the average of the lawyers' charges had been, a great revenue might be gained without any loss to the people, or any purchase on the part of the government, except that the present practitioners should have a life-interest in one-half of the net profits among them all, as fairly apportioned as it could be, compared with their previous nettings from that particular branch of their trade; but this on no consideration ever to be made transferable; so that as each died his share would instantly cease and revert to the crown, inasmuch as the crown would no longer have to pay it.

Is it not obvious that an office in every district for the registry of all the landed

property within it, with the owners, &c. attached, the date of their accession thereto, and from what source, would immediately do away with a good deal of misapprehension as to the validity of titles; that these titles at every settlement would be less liable to subsequent disturbance; that every year would further consolidate the bulk of them, and that at the end of sixty years there could exist no rational doubt as to the beneficial interest, or the legal claim in one estate out of a hundred? Indeed, with the exception of occasional variety in the constructions of a will now and then, there hardly could occur a ground of doubt. Now the present course of managing legal documents, &c. offers no like security, but leases, releases, mortgages, and all their paraphernalia throw food to the courts. How often in these cases do the pockets of the lawyer fatten while his soul grows lean, so that even he is an injured party, and every other sufferer has nothing to console him for his losses; so that such courts might render great advantage to the public at the cost the public now

pay, and thereby, after giving the present race of lawyers a life annuity, pocket every year at first a great revenue in the balance, and as the annuitants died off it would increase to an enormous annual amount.

CHAP. IV.

APPEAL TO THE FEELINGS OF MEMBERS OF PARLIAMENT,
WITH SOME NOTICE OF THE CAUSES OF THE DIMINUTION
OF HAPPINESS IN THE NOBLE AND RICH CLASSES.

THE privileged classes are so dovetailed into abuses, that prudence fears the tearing asunder national institutions in eradicating the *undue portion* of their influence, not sufficiently remembering that the consistency, influence, and stamina of the middle classes is fully equal to the task of supporting the government in throwing off and expelling all these evils; neither would either interest or inclination induce them to go too far even if they could, their interest is too clearly involved in preserving the fundamental principles of the constitution.*

* Men shrink from great changes though they see that they are bottomed on substantial justice; and though they see great and various ills from abuses which these changes propose to remedy, they

But independently of the danger that clinging to abuses may eventually destroy what is fitting to be retained, and so that legislators should place in jeopardy some of their rights by continuing to claim their wrongs, it is well for them to remember that should they have numerous families there can be no certainty of the younger branches not being obliged in a generation or two to mix with the commonalty; may one not then honestly appeal to the feelings of such, as not knowing what reverses may befall some of their successors, or what company they may be thrown among? These might naturally be supposed to feel that the slightest chance of their mingling with bad characters

have a confused fear of possible contingencies; but why should not all orders and classes, both individually and collectively, endeavour to do their best by applying remedies as need arises and never do wrong that good may come? How many institutions originally very valuable would have remained so to this day had slight and moderate reforms lopped off their occasional excrescences, and applied improvements as the character and station of the people declared them to be needful, but which for want of this have mouldered away in some instances and exploded in others, one after another, through every age of the world? Yet those who would moderately reform abuses in institutions which they heartily value and respect are treated as the worst enemies of those institutions.

should the laws remain as they now are how they may lead them to destruction ; to what they could have done if their forefathers had (because they felt all men as their brethren) anxiously and honestly endeavoured to legislate for the substantial benefit of the offender, as well as the victim.

But if we investigate the subject as simple hearted men ; as much as possible apart from early prejudices, will it not be evident that we have not yet on the subject of improved legislation got on the right scent, if one may so speak, and that without a *thorough* change on some points it will be impossible to compass a material reduction in crime ? Our criminal code speaks any thing rather than a christian spirit ; it provides not for crimes in proportion to their moral turpitude and the degrees of injury produced on the most important interests of man. Witness the severe penalties attached to the crimes to which men in the station of members of parliament are accustomed to suffer from, as sheep-stealing, destruction of trees, cutting of fish-pond banks, poaching, &c. ; contrast these

with the punishment provided for the crimes inflicted on poverty, as child-stealing, unchaste designs against poor honest girls, encouragement of drunkenness, and many others. To those who are really religious might one not appeal as to whether a blessing may reasonably be expected from such an unjust medley?

If we would legislate correctly, we should consider the constitutions of men's minds, their habits, their necessities, their affections, their weaknesses, and even their prejudices; remembering that it is far easier and incomparably more useful to lead men along a path and make them love it, than to drive them along another path to the same object and make them hate it. Still there are points beyond which even a Lycurgus could not go, and happily no moral or generous character would desire to go half so far, for instead of warring with the most amiable feelings of human nature as he did, these might all be enlisted as powerful auxiliaries in the cause of good, sound legislation, thereby greatly promoting the happiness, respectability, and

power of the nation. History proves that it would ever be easy to rule a people with good laws, there seems to be a something implanted in the human breast in sympathy with our kindest feelings inclining it to a respect and even love of authorities where no injustice *compels it* to feel that it is one party and the ruling power the other party ; indeed, we generally see that where rulers, whether in the higher or subordinate stations, deviate from the path of rectitude, they soon find the error turn round on themselves in some shape or other ; witness the game laws, for where is the country gentleman who preserves large quantities of game that is not more annoyed by poachers than pleased with his game ? And if his tenants are half-ruined by what *he* calls *his* wild animals and which he refuses to those at whose expense he feeds them, and their sons by a feeling of the poverty thus induced, and disgusted at the cause thereof, which they see the injustice of so clearly that all the arguments in the world on the other side would pass for nothing with them for facts, facts would rise up in their minds

against every sophistry, and you never could persuade them that their mothers and sisters ought to be half-starved or their father's creditors defrauded of half their debts that the squire might in one respect be the village tyrant ; and, if while so situated and so feeling they come in contact with the functionaries of the laws and plunge their parents into deeper distress, does not their landlord feel it in his arrears of rent ? and who would say that he suffers more than he deserves ? He may be so weak as to fancy or act as though the land was created for his pleasure, but his tenants won't fancy that they were created for any such object ; and is it possible that any man of an average share of the sympathies and goodness of heart of his fellow men can be so happy with the sons of his tenants in gaol for poaching, and misery extending her dominion and entrenching herself in the cottage, yet with his game like a poultry yard, as he would if there were not a head of game in the country, and his tenantry happy, cleanly, respectful, industrious ? Truly, a nobleman must be made of unenviable stuff

indeed, if he would long hesitate to prefer the latter.

It is a good thing to see good practice blended with good theory, and a strict observance of the laws by those who make them ; but when we reflect how large a proportion of our nobility, and indeed of all the classes not engaged in trade or honest professions, are employed in gambling, and forbidden sensualities ; how little actual use to themselves, or their fellow creatures ; how little to the credit of their country or their king, or the glory of their MAKER ; how tremendously large the list of young girls who have to deplore their deceitful protestations, arising from their tyrannical lusts ; how many industrious families are disabled from acting honourably towards others, because these spurn at the very foundations of probity and honour, while they foolishly persuade themselves that they are at the very summit of it, because they regularly hold themselves responsible to kill or be killed, as quarrels arise, to the given standard for the abominable offer.

Now I would ask any one, who believes

in the existence of a **DIVINE INTELLIGENCE**, a **GREAT FIRST CAUSE**, and who ever contemplates His goodness as manifested in the happiness of the myriads of animals, whether it is likely that there ever was oppression, which, if not repented of on the part of the oppressor, that the oppressor should not, first or last, suffer as much for as the oppressed? "Shall not the **JUDGE** of all the earth do right?" And if there be not some way of escape, and that way walked in subsequently by the oppressor, is it possible reasonably to hope that his oppressions shall not find him out by that **DIVINE UNIVERSAL INTELLIGENCE**? which we can see to an indescribable extent in the animal and vegetable classes, neither ever knew it to err in what we call the heavenly bodies. Indeed it would seem that wishes for the welfare of the oppressor tend more strongly than even wishes for the oppressed, to the removal of causes and opportunities of oppression, by removing such organizations and constructions of society as afford them tangibility and opportunity.

Now might one be permitted to ask, did any noble peer or noble lady set about to select, in their own imagination, a specific number of their own class, of each or either sex, who appeared to possess the greatest enjoyment of life, would not the selection fall on those who were most in the habit of doing good to others, the most just and amiable in their own families ; most punctual and honourable in fulfilling their engagements, and most careful to avoid all acts of injustice and oppression ? Can it be doubted but the profligate would gladly change with such, even where they pretend to despise them ? But if a human being becomes enslaved by his passions, it is no very easy matter to break the chains, and still more difficult to throw them entirely away.

Were I to address a man, who though from birth or acquirements a legislator, yet had squandered his property, the support of his wife, the inheritance of his children, in gambling, and who knowing that its reward had been unmingled bitterness, to such an one I would address myself:—Though so

infatuated thou canst not emerge from this vortex of injustice and fraudulent desires, yet have pity on thy children, do thy best by judicious enactments against that ever-growing ever-knowing evil to remove all sign of it as far as possible from them and their children, that they might, if possible, be hardly led to think of, far less to desire success, from this murderer of friendship—this impoverisher of emperors—this destroyer of the dignity of human nature ; that thou mayest a little alleviate thy vexation, and make some amends to thy children and society for these infatuating pursuits.

Probably many who would think, scorn to hear suggestions for their own welfare, in the avoidance of whatever offends DIVINE GOODNESS, yet would be glad that their wives, children, and young relatives and friends, should be mindful of those very things, being sensible that such a course would have tended to lead out of a very large proportion, perhaps nearly all the most considerable troubles that they retrospect in their own experience ; but if we deem it good for others, oh, the *real*

weakness, under the specious garb of *imaginary* high-mindedness, that leads us to refuse it to ourselves! Indeed, if all would seek a chief portion of their happiness in considering how they could best assist their fellow-creatures, they would find that they had not laboured in vain; and if each would, in his happiest and most favoured moments, reflect on what he would wish as the conduct of his children or nearest friends, and honestly avowing "this ought then to be my path," endeavour to blend practice with this theory, much good would be likely to result.

Perhaps there are few, who if they look back on the features and circumstances of their past lives, but might trace the hand of God, in various incidents, which, if attended to at the time, would have led out of those things which cause sorrow, or any degree of real disgrace; and where we do not see it, it is not because HE does not rule, but because our senses are obtuse, partly from sin, partly from disease of mind or body, all arising from that one grand foul root of transgression, and none to be extirpated but by the one remedy;

though man may gloss them over for present ease, or the devil may gloss them over for future designs.

Ah, how sweetly, how divinely simple, hath the TRUE AUTHOR of true religion condescended to make it ; but poor man, excited by his great, though secret and insidious enemy, would be wiser than his MAKER, and trammel the gracious designs of INFINITE WISDOM with the puny, stumbling, and feverish effervescences of his own brain ; no wonder, that when the TRUE PILOT is thus forasken, thus insulted, the vessel should be “ carried about by every wind of doctrine,” and eventually shattered to pieces on the rocks of ignorance or despair, or be put together again for the purpose of the requital of its obstinacy, ingratitude, and the numberless transgressions into which they have opened so wide a door.

If this, on a candid survey, become apparent, what encouragement to trust HIM every where ! And in all things to give HIM thanks, and obey every intimation of HIS will in our hearts ! then may we humbly hope that HE will condescend to bless those objects which

we have long striven for in vain, except those which HE condescends to show us are not in HIS good pleasure to grant, and we may be enabled to praise HIM equally for the granting of what HE grants, and for the refusal of what HE denies.

CHAP. V.

EMIGRATION.

If a census were taken of population in classes; exhibiting the increase since the last census; the numbers receiving parish relief; the amount they cost their respective parishes; and the numbers the parishes could spare; they would probably exhibit the following results: That the parishes, on an average, would be glad to have removed as many as the increase of the last ten years at least; and that all the shipping of England, taking one voyage annually, would not suffice to remove the annual increase.

Should such be the result of careful investigation, it requires no great stretch of imagination to conclude that something should

be done, either to improve the moral condition of Englishmen at home, and thereby render their resources more invariably applicable to their benefit, or adopt some system of emigration. For the superabundance of population, compared with the means either of employment or support, have elicited the inquiries and reflections of many men of no mean attainments, yet what has been done? Has any thing really tangible and effective yet been offered, much less acted upon?

The adoption of Owen's plans, in his new view of society, either in colonies or in the mother country, appears inapplicable to any but the young and unmarried; for it is not agreeable to the constitution and circumstance of man, nor to the organization of his mind, nor to his feelings generally, that when he is married any third person should possess the power of interference in their domestic feelings and avocations. That is not the period in the life of man or woman in which such circumstantial and interfering care can be either introduced or continued. No; but if it be wished to improve the domestic condition

of the English,—colonize, by taking them, of both sexes, at ten to fourteen; keep them steadily and suitably employed according to their sex and their strength; feed them well, use them well, work them well and though steadily yet moderately; cultivate in their minds sincerity, kindness, punctuality, assiduity in all their engagements, cleanliness, decency; instruct them well in morals, and, above all, turn their attention to that POWER who can alone instruct them well in religion; show them, so far as their poor fellow-mortal can show them, that their highest privilege, their most interesting avocation, is to dwell near to the “still small voice” of God in their hearts, which can, and will teach them, as man in his own will and way never did and never could teach, either his brother or himself. Thus would that succession of vices be cut off, which, by example, has been handed down through so many generations; and when the industry and other good conduct of a couple such young persons had acquired, in the way of reward, sufficient amount to purchase from the general stock the cow,

the number of sheep, the tools, &c. sufficient to make a fair start, they might be encouraged to marry and thereupon be placed in possession of their farm. Thus principles and habits, which you never could expect to ingraft on middle-aged or married people, would accompany them through their lives, and shine forth in the management of their children's children.

But Economists should look at human nature in some degree as a Horticulturist does at an estate which he wants to beautify ; does he cut down the hills and mounds, and scooping out their bases for fish-ponds, fill up the original receptacles of the water ? No ; he takes nature as she presents herself to him in her native loveliness ; too glad to find she has done so much for him to be willing to throw away any portion of her handy-work ; and going on a good deal in the path she hath herself chalked out, discovers not only the greatest extent of the capabilities which he has got to work on, but also the easiest way, and the most effectual and permanent way, of attaining his wishes ; but if a man

lived two hundred years, with all the aids of genius and of wealth to boot, and endeavoured to turn nature inside out before he would help her, his work would yet be in embryo at his death ; nor could his successors through a like period make any thing of it. Such schemes may do very well while novelty holds them together ; when that charm is gone, they soon follow.

Philanthropists wonder that their generous kind endeavours take so little root in the minds and habits of the poor to whom they propose them ; but it is well to look particularly to this fiat that is stamped on the circumstance of man, that youth is the time to begin improvement : from that starting-post man may hope to improve through life ; but if that period be neglected, his circumstance as to mind and principle presents a dreary waste ; the ground not having been cultivated in time, has been taken possession of by the noxious weed, the annoying thorn, and the poisonous herb in melancholy succession. DIVINE power may release him from the trammels, human power hardly can.

But by once cutting off the succession of evil example, a foundation might be laid which ages would not sweep entirely away. For instance, if such of the poor destitute children as wished it, or who from neglect or absence of proper care were likely to become a bane to society and to themselves, were taken to our colonies in the Eastern Ocean, or Canada, brought up in right principles and good habits, and when marriageable portioned off out of their own earnings and rewards, the cost would be little compared to the benefit; indeed, their work would be so available to their successors, that unless their numbers were doubled annually by increased emigration, they might, by their consignments of corn and other raw produce, pay for a good proportion of their raiment and metals, these being nearly the only commodities we should have to supply them with: whereas this class is almost a dead weight for support in this country, and latterly have been training up to be a millstone round the neck of the nation, as they advance to manhood in years, and to the service of the devil, in habits and

desires. Oh, that our governors would look more at these things! How easily might millions be rendered comparatively happy and virtuous! Oh, that good remedies were applied! for poverty and crime are increasing among our working classes.

Colonization from ten to sixteen years of age, with good management every way, would cut off the inheritance by example, from parents to children, of many and gross vices, which, having gone on through nearly all the ages of the world, call loudly for the connexion to be once severed; and then by judicious and steady, yet mild authority, a colony might be reared, exceeding by very much in sincerity, chastity, sobriety, and good-will towards each other, any large local mass of people that we have any knowledge of by history, experience, or otherwise; these might raise perhaps double the quantity of food they required, and possibly even in addition thereto, erect houses for an influx of young colonists approaching towards the annual doubling of the colony: this, in a few years, would be evidently felt by the millions now competing

with each other for a livelihood, and would require from this country, besides the means of transit, little beyond clothing, and metallic articles chiefly for building, agricultural, and culinary purposes; and when the country was tired of those supplies, without returns, as some would say, but with great returns, as might truly be said, it would only be to stay this mode of emigration; and our infant colony, no longer fully employed in providing for new settlers, would chiefly cease building, and turning more exclusively to agricultural pursuits, would, by an increased ratio of increasing production, and a diminished ratio of increasing consumption, begin to pay us for the clothing, and whatever else we sent them, and would possibly pay us in full if we ceased altogether from increasing their numbers. Yet did such a colony thrive, even half as much as is here anticipated, its value, every way, would be too evident to admit of doubts as to the continuance of sending colonists to fill up the vacancies which age and marriage made among them.

It seems to be forgotten, in the system

of colonization, that if you send away those who have had all their children, neither the colony is more numerous, nor the mother-country less so fifty years after; and if you send them away very young, many die from the circumstance of their age, as may be seen either by the bills of mortality, or the lists which life-insurance offices exhibit; but take them from ten to sixteen, and without one shilling expense, all their progeny, to the hundredth generation, (if they don't emigrate from thence,) are planted; besides which, it is material to consider, how slight soever it may seem compared with that fact of progeny, that from such an age they are likely to live nearly twice as long as their parents, who have already run through from twenty to fifty years more of their lives than their children have.

Now, were it resolved to establish such a colony, it might be preceded by some builders, who, continuing their operations through a series of years, would still provide for the fresh accession of colonists; and they, in return, would soon raise enough food for

themselves and the builders ; besides, some of the colonists would be trained for that, as well as all other occupations needful to such a colony, among which the chief manufactures of Great Britain would be altogether excluded.

Now let us imagine this colony in its infancy, conducted by one head and a few assistants, male and female, all selected with great care for soundness of conduct, soundness of principle, soundness of judgment, and of active, systematic, and persevering dispositions ; and that a fancy that they had such qualities, should not be deemed sufficient ; each house being adapted for about one hundred young persons, besides the officer of the same sex, and who would be assisted by a sufficient number of monitors. And each establishment passing periodically under some review and inspection as to behaviour, attainments, quantity of corn raised, and cattle reared, &c. ; a suitable emulation would be excited and continued in every establishment, and through every department. The male and female establishments would be as well a mile apart, and thus they might be continued

through a considerable space of country ; and at distances from each other determinable by the quantity of land the inmates might, when well instructed, be supposed capable of cultivating, should soil and situation suit such arrangement. The industry of all might be judiciously and perseveringly directed ; first, to raising their own food, next to raising food for the new comers, and providing them dwellings ; and if these objects did not absorb all their strength and resources, they might raise and collect for the mother-country such articles of raw produce as might be most congenial to the climate, which being immediately on arrival sold or bartered for the manufactures of the mother-country, the outward cargo being the proceeds of raw produce would leave room for fresh emigrants ; and as there would be no need ever to stay a single tide for freight, the vessels so employed seldom need much exceed a week at either port.

The construction of both houses and vessels might be managed at a considerable saving of cost ; and the latter affording greater

convenience, as well as more security, than any ever yet adopted.

It is interesting to imagine the advantage which such towns as Liverpool, Manchester, Birmingham, Leeds, &c. would derive from the continual influx of cargoes of raw produce, always to be paid for in manufactured goods.

As to land for colonization, we have already enough to support perhaps one-third, or one-fourth of the inhabitants of the globe; added to which, our loan-mongers will probably never get any more payment from the South American republics, except they take it in land; and which, after all, should we have great need of it, would then be worth ten times (may we not say one hundred times) as much to us as it is now to them; and if in one parcel from each government, having each a good maritime boundary, with the other boundaries as much as possible natural boundaries, and being independent of their laws, and of so much of their religion as is mixed up with worldly ambition and dependent on worldly power, might not such territory

form a good, fair, tangible payment ? and is there a prospect of any other than a portion of their land, or the admitting our commodities at little or no duty for a specific period ? this, however, they would gain by in price, as much as we in additional business, and would lead to our buying more of them in return ; besides that, the arrangement consequent thereon between our government and the loan-mongers might not be satisfactory, but the bargain for land, which now is little worth, might be very profitable at no distant period ; for not only the British nation, but every other civilized country, appears to be rapidly on the increase ; so that in many spots, what is not now worth a penny, may, and in many instances probably will, forty years hence, be worth a pound.

Would it not be well very carefully to abstain from allowing governors to make any further grants of land, except for specific and not very distant periods, say not exceeding fifty years ? And if the increase of population goes on at the ratio which the last fifteen years have exhibited, the sale of

such, at the expiration of the respective grants, would be enough to reduce our national debt to a tolerably tangible amount; and if juvenile emigration be adopted on a good efficient plan, some will be wanted for immediate settlements; and although not the thousandth part of what still remains unappropriated, yet the emigrants and their descendants would want an amazing surface to spread away upon as they marry off; after a while, by perhaps hundreds of thousands a year. Persons thus educated in good habits and management, supported by the good constitutions which so generally accompany early rising, regular employment and food; cleanliness, and peaceful serene minds promoted by the cultivation of good-will to all; which would be a material feature in the juvenile emigration system, they would, by possessing these powerful auxiliary advantages, be able and willing, if not desirous, to pay a moderate quit-rent punctually; and this, though little from any one, yet, in process of time, coming from millions, would also nicely help away our national debt, which, if we

could only conquer the half of, the remainder could be gradually liquidated, and hardly felt, through the medium of the increased consumption and commerce necessarily arising from the increase of our own numbers, and the extension of civilization, which invariably brings with it increased trade to Britain; or so much of the debt as would be useful to the country might remain permanently unliquidated, for investment for the use of widows, orphans, savings-banks, &c.

Now who can doubt the need of further colonization, or some other extensive remedy to a state of society, in which, if a farm be to let, there are perhaps twenty to fifty industrious candidates for it? Yet the parishes are so burthened, that their managers are entering the lists with these industrious candidates for useful employment, that they may place paupers upon it. Is that encouraging prudent industry, or discouraging that profligacy, which, in nine instances out of ten, has led the others to parochial aid? Yet this plan is now recommended with some influence; is it not of a piece with making

the prison more comfortable than the parish poor-house ; and the parish poor-house more comfortable than the cottage of the industrious labourer ? and is it not denying the farm to a better manager, and one who has some sort of claim in the capacity of an industrious, honest, English farmer ?

If our colonies are wise, they will all be very anxious to retain their allegiance to the mother-country, supported as they are by so little claim for government expenditure, and getting their produce into the grand emporium of the world at so small a duty, compared with other countries ; but there is only one that seems at all inclined to cease to cling to us, that country is the Canadas, more protected by low duties, and fostered, than any other. Why, if they separated from the mother-country, and were placed, with reference to their commerce, on the same footing as foreign countries, they would instantly lose four-fifths of their commerce at least, and would have to incur greater expenses, while their means to pay them would be so reduced as to bring the wages of their labouring

population to less than one-half of its present rate, as few could afford to employ them even at that. Their stupid ingratitude is striking, and were it not for anticipated extensive colonization among them (which, by the by, would increase their strength and their wealth in a greater ratio than ever yet was witnessed) it would serve them right to cut with them at once, and instantly offer such a medium rate of duties to them, and every other country supplying the commodities they send us (on condition of a corresponding reduction on their part), as would keep up our revenue from those goods to the same total amount they are now, and treat the Canadas as we treated every other foreign power.

CHAP. VI.

CHARITABLE BEQUESTS.

If a man cheat the juvenile poor of his township or parish out of that instruction and other advantages, for which purposes, and not his own profit, funds have been left for him righteously to administer, and he keeps them for his own use ; this which, if honestly appropriated, would have been a blessing to him is hereby made a tremendous curse ; but is it likely that a man with his conscience even so seared, would be such an abominable fool as to wish his son to do so ? no, he would hope better things for his son : drunkards like their wives and children to keep sober.

Well, now let us imagine that King George the Fourth, or George the Great, for he has more right to the title than a thousand such men as Alexander, once of Macedon, afterwards of all the civilized world, could have *jointly* shown a title to, if indeed a thousand such would have left alive man, woman, or child, but themselves;—now let us imagine our beloved and honourable Sovereign sending down a message to his “faithful Peers and faithful Commons,” to the effect that he finds, by official reports from a committee of the lower house, that poor children, poor widows, and other English in various degrees of destitution throughout the nation, are robbed of hundreds of thousands of pounds every year, by trustees to the wills of various deceased good men and women, who hold funds left for the instruction, clothing, and feeding of the destitute young poor of specific neighbourhoods, townships, and parishes; and the lodging and support of poor, ancient, infirm, and decayed persons of various classes, particularly widows; that these funds are so abundant that not a few towns have thus a

right to as much as would feed and clothe as well as instruct every poor child within its boundaries; others have only enough to clothe and instruct; others only enough to instruct; others again only sufficient to instruct a part; with all manner of degrees between enough to instruct a part only; and enough to instruct, feed, and clothe the whole; and that he was determined to see justice done to the poor; and in this particular temptation removed from the rich. The honest of the nation would be knit together as the heart of one man in such a cause; and though many would severely deplore his individual loss of unworthy gain, he would, in common with others, save so much by those and other funds being honestly administered, that he would join the nation's voice, not of popular clamour only, but on a point where the really good, peaceable, and wise, would be the most earnest; and he would say, well, let it be so; and before two months had passed over, if he were a wise man, and had a son whom he had intended to have put into his place herein, he would

say to himself, in his secret thought, I am glad my son will not be tempted to act as I have done. But, until there be some legislative enactment hereon, can we refrain from charitably advising such of the clergy, and others, as rob the poor of the means of instruction, of food, raiment, lodging, and other necessities, honestly and promptly to retrace their steps ?*

As the investigation of a committee of the House of Commons has substantially proved the fact, that hundreds of thousands of English children are at all times being defrauded of those rights which are most essential to their interests, and to the welfare of society ; and as nothing has yet been found to grapple with the evil, why not establish in one functionary the office of minister of education and benevolence, whose duty should be the investigation and complete control (through

* Remembering who it was who said, "Woe unto you scribes and pharisees, hypocrites, for ye devour widows' houses, and for a pretence make long prayers, therefore ye shall receive the greater damnation." Indeed, such should deeply weigh the whole of the twenty-third chapter of Matthew ; for while they rob others, they also rob their own souls.

local committees appointed by him) of all benevolent institutions, except those under the care of their own founders.

CHAP. VII.

ENGLISH HIERARCHY AND ROMISH HIERARCHY.

It has been observed by Henry Gally Knight, that Catholics and Protestants live in harmony in all countries where the governments interfere not between them; a sound and valuable observation; But is our government, and are the people of England also, prepared to give up that most extensive of all modern interference, that five-sevenths of a population of seven millions, said to be the most destitute of any civilized nation of the present day, are compelled to contribute to the functionaries of a religion which they detest, one half perhaps as much as the revenue of all the clergy of the continent of Europe? Thus the

poorest population — have to support the richest hierarchy — by the most extravagant supplies—and they do not belong to the same religion ;—is not this a four-fold anomaly, each aggravating all the rest ?

Now grant the Papists what they call emancipation ; falsely, it appears, first, because they are not in bondage, and therefore their case does not admit of emancipation ; secondly, because the inapplicable term has evidently been originated to infuse into the case an excitement of pity for one side, and an abhorrence towards the other, through the medium of a sentiment known to be inapplicable by its originators. But grant what is called Catholic emancipation, take them by wholesale into the houses of parliament, into the cabinet, into the various boards under government, as presidents, commissioners, and secretaries, will the poor Irish peasant cease to feel the gripe of the tithe-proctor, who tears from him the best of what he has ? thus keeping the whole family in rags, and denying them all food, but the potatoes and a little butter-milk.

Does this practice prevail where the professors of the respective religions live in harmony ?

If the Church of Rome has always been intolerant, but when impotence or fear have disarmed it of its tyranny, and kept in the back ground its ridiculous assumptions of right to lord it over the souls of men, keep the power to injure others far from its hands ; but do not act unjustly by robbing the poor of their meagre pittance of property, and thereby tempt the improvident to theft, or vex the sullen to murder.

Although an Irishman is naturally disposed to be happy, and of a playful turn, he has, for years, growled under the oppressions of his own priest mentally, and of the English priest physically ; so that it has thrown a veil of dissatisfaction over his mind which belongs not to his nature.

Will not the real, honest wishers for England's welfare say to those unjust stewards, Remove each your portion of the oppression ?

But as the mere removal of tithes would now, in their dense state of population, be

pretty much confined in its effects to increasing the rent, which few of the landlords deserve, because they are so generally non-resident, it might be fairer for the clergy to be paid, each according to the numbers of his hearers, and the revenues of the great dignitaries, as well as those of the inefficient little dignitaries, might be very beneficially appropriated to emigration from Ireland of boys and girls; this would operate to the relief of the parents equivalent to the tithes paid, while honesty and usefulness would be exceedingly promoted; but by our present system, not only pride, but downright cheating is exhibited in the conduct of the Protestant clergy appointed to Ireland.

Is not the jeopardy in which we are placed, with reference to Ireland, the fruit of that determination to fulfil for the clergy an unjust engagement, to which the payers never were consulted; never were a consenting party; never were benefited thereby; and whose secession has been promoted by the oppressions of the very men who were appointed to lead them to a more spiritual state? Is

England always to be the cat's-paw to the rapacity of her clergy, and even place the integrity of the kingdom in danger, because they count gain godliness, and realize, as ill becomes their profession, that declaration, "The love of money is the root of all evil!"

Do not the contentions between Catholic or Papal hierarchy, and Church of England hierarchy, appear big with events that seem but little spoken of on either side, *even to the mutual destruction of so much of each as is of HUMAN CONTRIVANCE?* and if all that be gone, will there then remain any immediate connexion between church and state, seeing that religion is an individual work between man and his Maker?

Those who are inimical to what is called Catholic emancipation have some strong facts on their side, for many of them know that there is an intolerance in the very heart and core of their ruling dogmas; but are all the professors of other religions clear of the abominable, cruel, and foolish sin of intolerance?

Did not Horner, an ordained minister of

the church of England, recently threaten five millions of Irish Papists with extermination, if they did not cease to ask for a further approach towards reciprocity of rights and interchange of power? and did he not talk of compassion being best promoted by not suffering any to escape, lest they, or their descendants, should require the cruel alternative of slaughter at no distant period? Yet the church of England is, with the exception of the Quakers, perhaps the most tolerant of any church which has ever possessed political power. And did not Cobbett, who appears not to have regard to any Christian sect, write an equally silly article relative to the Society of Friends? And did not Calvin invite Servetus to Geneva, and there procure him to be burned alive?

But if those who are alarmed at the prospect of the members of the Romish church acquiring political power in England, would endeavour to promote even-handed justice to all, and rely on the blessing of DIVINE PROVIDENCE on those endeavours, and on extended education, they might save themselves a deal of

alarm, though unquestionably such measures would trench on unjust gains as well as on other oppression.

Politicians, willing to carry their object, are apt to represent the *leading* subject in dispute as involving the integrity and safety of the community, as though all the circumstances and contingencies of society merged in that point; yet as soon as it is settled, and fresh game started, that in its turn is treated of as though it involved all the welfare of the state. Now however much we may approve the wisdom and integrity which are so clearly manifested in the recent decisions of the cabinet on the Catholic question, yet, though the measure is likely to promote honesty and harmony in no slight degree, can we reasonably expect so small a plaster to heal so large a sore? for the Roman Catholic Relief Bill extends not to one thousandth part of the Roman Catholics of Ireland and Great Britain.

Suppose that altogether five hundred Roman Catholics acquire thereby seats of honour and places of profit, how will that

neutralize the injustice pursued towards the five millions, of whom these five hundred form one ten-thousandth part? and how can any deliberately believe that this will permanently quiet them? Is there then no genius remaining in Ireland after these five hundred aspirants are abstracted? Do we forget what history so often tells us, that many of the principal actors in the affairs of nations have never been observed to deviate from the beaten track of common humanity, until some unusual circumstance has suddenly fired their souls, and shown to an astonished world how ardently they could burn?

Would history have ever informed us that there had been a Brutus, had Tarquin learned to control his passions? Would the names of Cromwell, Fairfax, and others, have been heard by us; had they been quietly allowed to sail to America, where they were proceeding, that they might till the land in peace and quietness, and no longer feel that they were victims of religious intolerance? Or ask the present Lord Chancellor if he has not an evidence of it in his own person? But

time would fail me to state, or the reader to listen to the proofs which might be adduced; that man is the creature of circumstances, and you have not yet provided for the circumstances of the Irishman, who perhaps is more the creature of circumstances than any other of the species.

Now let us imagine these five hundred to have each found a quietus in various profitable places, such as their respective habits and connexions paved the way to. Well; does Ireland lack the germs of fifty such five hundreds, if room were found for them in succession? It's of no use to say, "Poh! what's genius without education?" I say, "look to the History of the World for an answer:" there are plenty, who, encouraged by the success of their predecessors, would become as noisy in declamation as O'Connell and his compeers. O'Connell could not have agitated had there not been a cause; and if you take away the five thousand most eloquent men of Ireland, abundance more will come forward and perform the work of agitation; because though the business of

the agitators is carried, the interests, the honest interests of the agitated remain unprovided for, untouched, by the measure. The hearts of these will continually vibrate to succeeding agitators, supplied by that genius so remarkable and general in Ireland which drives straight home to their incitable feelings, and takes triumphant possession of the heart of almost every man, woman, and youth of Ireland.

It will probably soon be seen that there will be no lack of the resumption of agitation, unless you remove the appetite for that agitation which is found in their hatred of other Christian sects, chiefly because the support of one of them is made a pretence for their oppression ; and who can deny that it is a pretence, when all sensible men on the subject know that the tithe-system has been the grand stumbling block to the reformation in Ireland ; and if you do any thing professing thereby to promote any specific object, and you know at the same time that that thing defeats that object, is it want of charity and love to call it a

pretence ? Does pure Christianity forbid that this simple truth shall be told in simple terms ?

The poor Irish peasant will ask his priest, " Well, what have we got by our Relief Bill ?" The priest may probably reply, "*You* have got no relief by it, but it gives you advocates of your own to strengthen and enforce your claims for relief."

Do any fear that the Romish church will obtain so much power as to enable them again to persecute the members of other churches ? Let them trust to the DIVINE BLESSING on their honest and consistent endeavours to remove the *means* of oppression from all, *themselves* as well as others, that the very *principle* of oppression for religious opinions might be extinguished from the land ; but if *they* will hold oppression for their own benefit, they will naturally fear those who are struggling in the contest ; *for who shall possess the power, until that power no longer exists for either to scramble for ?*

It would be easy to legislate usefully, and pretty effectually to guard all from harm, if

those who legislate would steadily adhere to honest *bond fide* principles ; but to make the same conduct appear black in one class of men, and white in another class of men, is no easy task, and it is to be hoped never will be easy. And are those clear of it, who, struggling for the safety of the tithe-system, direct the people's attention to the oppressions of the Romish church ?

CHAP. VIII.

NATIONAL DEBT.

HOW LONG ARE WE TO SACRIFICE HONESTY TO COVETOUS-
NESS? THE POOR TO THE RICH? AND FACTS TO
THEORY?

Is it possible that any can really understand some of the chief circumstances and bearings of the National Debt, as they have generally been represented?

If any talk of a composition with the public creditor, nearly all are on the alert to defend his cause with arguments of reason and sophistry; of imagined honour and actual injustice; of pity for the poor fundholder, who is very generally rich; and little mercy to the rich debtor, who is very generally poor: for who is the public debtor? Is he

to be found in the person of the King? or the two branches of the legislature? or the confidential advisers of majesty? or the various subordinate functionaries who manage the details of the machine? it cannot be, for it is well known that all these put together contribute not, AS SUCH, one shilling a-year towards the millions of pounds that are collected.

No; the public debtor is not to be sought prospectively in any individuals; the identity of the debtor to the English fundholder is circumstantial rather than personal. Thus, whoever uses any taxed article, whether in the occupancy of a house or the purchase of a pound of tea, constitutes himself one of the public debtors to the amount of the tax levied on the article, and for that period; generally clearing off his debt as he incurs it with the purchase, and running a score with the occupancy. Who then is the public debtor? generally speaking all the people of England for the time being, except those who actually incurred the debt; and if they constitute a part of the debtors as to the liability, they

hardly can as to the practice, because though they pay to the revenue they receive from it very much more ; yet, with respect to the great public functionaries of government, is it not clear that men with half their talents, and perhaps not more assiduity, derive as great an income from trade as they do from their offices, therefore they are not overpaid ; the same, with few exceptions, may be said of almost all the other functionaries, and perhaps particularly the junior clerks. Yet what shall be said in extenuation for those sinecurists who never did any service to their country ?

But let us revert to the identity of this imaginary debtor, who is supposed able to bear almost any burthens.

Every poor widow who buys an ounce of tea for herself and her orphans is one of these public debtors, who, collectively, are represented with resources almost unbounded ; but from a variety of management the unbounded resource-men contribute, in proportion to their means, very little, compared to the poor widow ; what with the landholder getting that portion of his patrimony without

probate or legacy-duty to start with ; getting his mansion rated as a farm-house ; brewing his own beer ; franking his letters, or getting them franked, and ruling the corporation and the parish ; with the various profits and privileges of a variety of offices connected with parliamentary and various other influences ; and the fundholder continuing to receive the interest of usury, after having already got back a large portion of the principal, yet holding the nation for the whole NOMINAL original amount of the debt. But the middle classes, and poor, and parents of large families, divide the debt pretty much between them, and very heavy they find it ; for is it not clear that the weight of taxation is felt, not in proportion to what is paid, but according to the proportion that those payments bear to the residue of income, from indispensable expenses ? And is it not clear that the creditor is in his own person, or by inheritance, or purchase, a party to the faults of the national debt ? inasmuch as he either has bought himself a share of the concern, or has inherited a beneficial interest from a

self-constituted proprietor ; but the real tangible debtor is no party to it by his own conduct, nor amenable in justice to its errors : thus then the creditor, who is constituted such by his own acts, gets the advantage of the unjust portion of the transaction ; and the debtor, who is constituted such by the acts of others, bears the burthen of such unjust portion.

Now for the creditor ; although there are many poor widows, whose little all, except their furniture and apparel, is vested in the funds ; and although savings-banks and friendly societies of the working classes hold several millions, yet the bulk of the amount is held by the rich reinvesting capitalist ; and were it not that they have to drop off, one after another, “ to that country from whose bourne no traveller returns,” their successors in wealth would be sadly perplexed as to “ how to bestow their fruits and their goods.” Then would come to pass what a friend said to me in an argument about the consistency of those who profess a principle against war, buying stock which was borrowed for and spent in cutting Frenchmen’s

throats. "What," said he, "are we to do with the money? how are we to use the money?"

On looking at the creation of the debt, let us take an item, which, though not a fair average, will yet avail for illustration of the style in which these burthens were thrown on the children of subsequent generations. In 1799 government contracted for seventeen millions, as a loan: Well; did they give a bond, engaging to pay interest for this sum, until they had redeemed the principal? Oh dear, no; that would have been unworthy the reckless carelessness of the statesman, or the crafty scheme of the loan-monger. Well, what did they do? Why, for every one hundred pounds loan they acknowledged two hundred pounds debt, for which double amount they engaged to pay interest at three per cent., and for $61\frac{1}{2}$ years an annuity also of 4*l.* 11*s.* per cent. on the amount of interest; and this usurious interest is to be kept up until each hundred pounds borrowed is repaid by two hundred pounds, or that government can redeem it by buying it up at a lower rate. Thus this usurious interest must be kept up

until the seventeen millions is repaid by thirty-four millions, or bought up at what they can get it for. It appears on calculation, that after reckoning 5*l.* per cent. per annum for the sum of this loan actually in hand at the expiration of each year, that of the seventeen millions, no less than thirteen millions four hundred and eighty-seven thousand pounds odd has been paid off in excess of interest beyond the legal amount; and though there really remains honestly due little more than three millions and a half, we are still held responsible for the thirty-four millions as principal: and interest thereon half yearly until redeemed by purchase or payment—neither has there in this reckoning been any advantage taken of the period in which the Bank of England and private bankers have discounted at four per cent. and various other companies and individuals at from two to four per cent.

This fact is, I apprehend, proved by the following data, and calculations thereon: in 1799, as already stated, seventeen millions were borrowed for the use of government, for which they acknowledged a debt of thirty-

four millions, and engaged to pay for the use of that loan of seventeen millions, the annual sum of one million and sixty-six thousand four hundred and ten pounds per annum. Now the greatest amount of interest which does not merge into usury, according to the laws of this country, is five per cent. and throughout the period from that day to this (sabbath and other holydays excepted) the Bank has always discounted at a rate no higher than five per cent. and for some years at much less. Starting then on these principles, and with this data, I state as an admitted fact, that the government of England

Borrowed in 1799, the sum of	£17,000,000
That they engaged to pay annually for the use of it	1,066,410
That five per cent. on £17,000,000, is . .	850,000
And that consequently the public have annually redeemed of the principal, the sum of	216,410

besides interest on the total amount of the excess of payments for the time being, because they have to this day paid up the full interest, though they have never had the full amount

to use after the first half-year's dividends were paid.

		£	s.	d.
1800	Excess of payment beyond legal			
	Interest	216,410	0	0
1801	Interest on this excess for one year	10,820	10	0
	Annual excess of payment. . . .	216,410	0	0
		443,640	10	0
1802	Interest for one year on 443,640l.			
	10s. 0d..	22,182	0	6
	Annual excess.	216,410	0	0
		682,232	10	6
1803	Interest for one year on 682,232l.			
	10s. 6d.	34,111	12	6
	Annual excess.	216,410	0	0
		932,754	3	0
1804	Interest	46,637	14	1
	Annual Excess	216,410	0	0
		1,195,801	17	1
1805	Interest	59,790	1	11
	Annual Excess	216,410	0	0
		1,472,001	19	0
1806	Interest	73,600	2	0
	Annual Excess	216,410	0	0
		1,762,012	1	0
1807	Interest	88,100	12	0
	Annual Excess	216,410	0	0
	Carried forward . .	£2,066,522	13	0

		£	s.	d.
	<i>Brought forward</i> . . .	2,066,522	13	0
1808	Interest	103,326	2	8
	Annual Excess	216,410	0	0
		2,386,258	15	8
1809	Interest	119,312	18	9
	Annual Excess	216,410	0	0
		2,721,981	14	5
1810	Interest	136,099	1	9
	Annual Excess	216,410	0	0
		3,074,490	16	2
1811	Interest	153,724	10	9
	Annual Excess	216,410	0	0
		3,444,625	6	11
1812	Interest	172,231	5	4
	Annual Excess	216,410	0	0
		3,833,266	12	3
1813	Interest	191,663	6	6
	Annual Excess	216,410	0	0
		4,241,339	18	9
1814	Interest	212,066	19	10
	Annual Excess	216,410	0	0
		4,669,816	18	7
1815	Interest	233,490	17	0
	Annual Excess	216,410	0	0
		5,119,717	15	7
1816	Interest	255,985	17	9
	Annual Excess	216,410	0	0
	<i>Carried forward</i> . . .	£5,592,113	13	4

		£	s.	d.
	<i>Brought forward</i>	5,592,113	13	4
1817	Interest	279,605	13	8
	Annual Excess	216,410	0	0
		6,088,129	7	0
1818	Interest	304,406	9	4
	Annual Excess	216,410	0	0
		6,608,945	16	4
1819	Interest.	330,447	5	10
	Annual Excess	216,410	0	0
		7,155,803	2	2
1820	Interest	357,790	3	1
	Annual Excess	216,410	0	0
		7,730,003	5	3
1821	Interest	386,500	3	3
	Annual Excess	216,410	0	0
		8,332,913	8	6
1822	Interest	416,645	13	5
	Annual Excess	216,410	0	0
		8,965,969	1	11
1823	Interest	448,298	9	1
	Annual Excess	216,410	0	0
		9,630	677	11 0
1824	Interest.	481,533	17	7
	Annual Excess	216,410	0	0
		10,328,621	8	7
1825	Interest	516,431	1	5
	Annual Excess	216,410	0	0
	<i>Carried forward</i> . . .	£11,061,462	10	0

		£	s.	d.
	<i>Brought forward</i> . . .	11,061,462	10	0
1826	Interest	553,073	2	6
	Annual Excess	216,410	0	0
		11,830,945	12	6
1827	Interest	591,547	5	7
	Annual Excess	216,410	0	0
		12,638,902	18	1
1828	Interest	631,945	2	11
	Annual Excess	216,410	0	0
		13,487,258	1	0
1829	Interest	674,362	18	0
	Annual Excess	216,410	0	0
		14,378,030	19	0
1830	Interest	718,901	2	0
	Annual Excess	216,410	0	0
		15,313,342	1	0
1831	Interest	765,667	2	0
	Annual Excess	216,410	0	0
		16,295,419	3	0
1832	Interest for one year	814,770	19	0
	Annual Excess	216,410	0	0
		17,326,600	2	0

So that in 1832, if the present course be followed (of which there is no immediate cause to doubt) the whole amount of borrowed money for 1799 will have been paid off with five per cent. per annum for the total amount owing at the time throughout the

whole period, and over and beyond an excess or over-payment of three hundred and twenty-six thousand six hundred pounds; yet the fundholder, so far from giving back any portion of this sum, or paying interest for it, will yet require that we shall continue to pay double interest for the nominal debt, or buy it at nearly two-fold, although we shall have already redeemed it. I have a general wish not to mislead on any account, and should be sorry that this were taken as an average of the terms on which loans have been contracted for by our government: there were few on terms quite so outrageously impoverishing. However, I will give one other case, which was somewhat about the worst I have seen the particulars of, being the history of the loan of the preceding year.

In 1798, one million six hundred and twenty thousand pounds were borrowed, the terms for which were, that for every one hundred pounds received there should be two hundred and twenty-six pounds ten shillings, three per cents. given as an acknowledgment, so that the stock created was three millions six

hundred and sixty nine thousand and three hundred pounds. The annual charge incurred was one hundred and ten thousand and seventy-nine pounds, and the interest at five per cent. (any thing beyond which is declared usury by that same government) would have come to eighty-one thousand pounds, whereby the public lost to the loan contractor and his successors, every year, twenty-nine thousand and seventy-nine pounds. Proceeding then with the calculation, as in the preceding case, I say—

		£	s.	d.
1799	Excess of payments beyond legal			
	Interest	29,079	0	0
1800	Interest thereon for one year . .	1,453	19	0
	Annual Excess.	29,079	0	0
		59,611	19	0
1801	Interest thereon for one year . .	2,980	12	0
	Annual Excess.	29,079	0	0
		91,671	11	0
1802	Interest.	4,583	11	6
	Annual Excess	29,079	0	0
		125,334	2	6
1803	Interest	6,266	14	2
	Annual Excess	29,079	0	0
	Carried forward . . .	£160,679	16	8

		£	s.	d.
	<i>Brought forward . . .</i>	160,679	16	8
1804	Interest	8,033	19	10
	Annual Excess	29,079	0	0
		197,792	16	6
1805	Interest	9,889	12	9
	Annual Excess	29,079	0	0
		236,761	9	3
1806	Interest	11,838	1	6
	Annual Excess	29,079	0	0
		277,678	10	9
1807	Interest	13,883	18	6
	Annual Excess	29,079	0	0
		320,641	9	3
1808	Interest	16,032	1	6
	Annual Excess	29,079	0	0
		365,752	10	9
1809	Interest	18,287	12	6
	Annual Excess	29,079	0	0
		413,119	3	3
1810	Interest	20,655	19	2
	Annual Excess	29,079	0	0
		462,854	2	5
1811	Interest	23,142	14	2
	Annual Excess	29,079	0	0
		515,075	16	7
1812	Interest	25,753	15	10
	Annual Excess	29,079	0	0
		556,908	12	5
	<i>Carried forward . . .</i>	£569,908	12	5

		£	s.	d.
	<i>Brought forward . . .</i>	569,908	12	5
1813	Interest	28,495	8	7
	Annual Excess	29,079	0	0
		627,483	1	0
1814	Interest	31,374	3	0
	Annual Excess	29,079	0	0
		687,936	4	0
1815	Interest	34,396	16	3
	Annual Excess	29,079	0	0
		751,412	0	3
1816	Interest	37,570	12	0
	Annual Excess	29,079	0	0
		818,061	12	3
1817	Interest	40,903	1	7
	Annual Excess	29,079	0	0
		888,043	13	10
1818	Interest	44,402	3	8
	Annual Excess	29,079	0	0
		961,524	17	6
1819	Interest	48,076	4	10
	Annual Excess	29,079	0	0
		1,038,680	2	4
1820	Interest	51,934	0	1
	Annual Excess	29,079	0	0
		1,119,693	2	5
1821	Interest	55,984	13	1
	Annual Excess	29,079	0	0
	<i>Carried forward . .</i>	£1,204,756	15	6

		£	s.	d.
	<i>Brought forward . . .</i>	1,204,756	15	6
1822	Interest	60,237	16	9
	Annual Excess	29,079	0	0
		1,294,073	12	3
1823	Interest	64,703	13	7
	Annual Excess	29,079	0	0
		1,387,856	5	10
1824	Interest	69,392	16	3
	Annual Excess	29,079	0	0
		1,486,328	2	1
1825	Interest	74,316	8	1
	Annual Excess	29,079	0	0
		1,589,723	10	2
1826	Interest	79,486	3	6
	Annual Excess	29,079	0	0
		1,698,288	13	8
1827	Interest	84,914	8	8
	Annual Excess	29,079	0	0
		1,812,282	2	4
1828	Interest	90,614	2	1
	Annual Excess	29,079	0	0
		1,931,975	4	5

Thus we have already repaid interest and principal of the loan of 1798, and three hundred and eleven thousand nine hundred and seventy-five pounds to boot, yet, strange to say, we are yet held responsible to pay one hundred and ten thousand and seventy-nine

pounds per annum, as the interest of this imaginary debt, which, although it is already paid, is still owing, and which still stands at the full and unredeemed sum of three millions six hundred and sixty-nine thousand and three hundred pounds, because in a disastrous hour, of our own brewing in some degree, we borrowed one million six hundred and twenty thousand pounds; not to “fight the French for King George upon the Throne,” as the Scotch song says, but to lend to the Emperor, if I understand rightly, that he might fight the French for King Louis who was off it; or was it concocted chiefly under the influence of our clergy, lest tithes should be cut up root and branch in England as they had been in France?

Now, if statements published through many editions, and not contradicted so far as I have heard, exhibit the terms and other conditions of the loans contracted, the annexed calculations relative to those of 1799 and 1798, it is presumed are also correct; should any doubt it they may go over the sums themselves, if not too much trouble, either starting with a presumption of the correctness of the data as I

have done, or showing it to be otherwise by official documents to which I have been unable to gain access without asking favours of those whose interests this publication might have a tendency to injure, and this I should not choose to do.

'Tis true, I asked for the particulars of a Bank-Director, but I did not then know that the Governor and Deputy-Governor of that establishment were *ex-officio* Commissioners for the *professed redemption* of the national debt through the medium of the Sinking Fund, which all might see has *retarded* that redemption it was professed to promote. When I think of these and some other things, I reflect on the memory of the late Right Hon. William Pitt with conflicting feelings, for although I never doubted the fact of his being a very ardent lover of my country, yet I have thought, could any at the period of his birth have foreseen the tithe of the work he would cut out for his cotemporaries and succeeding generations, they might have exclaimed, "Oh ! save my country, Heaven," with as much propriety as the great minister made this

exclamation when all worldly things were flitting from his grasp as he himself yielded to the more potent arm of death.

These transactions may be aptly compared to the conduct of a younger brother, who finding that his elder brother has concerns in which, though no one is more interested than himself, yet the elder having the responsibility, care, and management, the younger takes advantage of the necessities of the elder, and makes many shameful usurious transactions with him. Now let us consider the King to be the father of these two brothers, would it not be well for him to say—I wish for an equitable arrangement in this business, yet as custom has in some sort reconciled the one to the fruits of oppression, and the other to the burthens of it, and more especially as substantial and full justice would involve a vast deal of suffering in many who would then become destitute, and who yet were generally ignorant of the injustice of the transactions in which they had deposited all they possessed, I will consent to such an arrangement as will amount to the continuance of a great

proportion of the oppression; yet I wish at least a fourth of the fraud removed at the first alienation of each portion, and a second fourth at the second alienation of each portion.

La Fitte says, " England has given the model of the finest financial institutions ;" to which it may be replied, with truth and honesty, that nearly every large sum it has borrowed, if done by private individuals, would, by the laws of that same " England," absolve the debtor on the payment of the first dividend, and render the creditor liable to pay, as a debt, double the amount he had advanced as a loan ; also that such conduct as loan-mongers exhibit towards needy governments, would in the affairs of private life fix on their characters an odium which the riches of a Croesus, or the talents of a Bacon, would in vain attempt to wipe off. Some of the readers of these pages may have read or heard of an odious character of the name of Chartres, one of the most execrated perhaps in English legend, if not English annal. The habitual offence for which his name has been more particularly abhorred was, that he

exacted more than lawful fees from the poor and others that came in contact with the magisterial jurisdiction, to whose court he was a servant; thus he oppressed them and enriched himself by taking unlawful fees; what less does the loan-monger? and, though innocent of the turpitude of the transgression, the fundholder? indeed, in some sense, the loan-monger was worse than Chartres, for many of his victims might have kept out of his clutches by avoiding crime, but the tax-payer is (as such) an honourable member of society, however poor; so that neither has any crime of his caused his oppression, nor could any prudence on his part have averted it. But the nation is considered by too many fair game, yet is the nation the real tangible debtor? What is meant by the nation in this case but the population, and who pay the bulk of the taxes? The poor and labouring classes, and the middle classes, particularly the parents of large families. Yet, because the nation is so rich and powerful, burthens are laid on by one side too often without mercy or judgment; and evaded by the other

as though there were no dishonour or dishonesty in cheating the government or deceiving its agents. From these and other causes we see, and the spectacle is lamentable, the most conscientious and interesting government on earth (unless its own child in America can vie with it), the most morally powerful, and the most physically powerful, yet struggling with its finances twice a-year, like an insolvent tradesman, or a young spendthrift, beyond the last shred of his own proper resources. But if it were resolved in that quarter which can give a tangible and operative existence to such a resolution, that our finances should no longer be smothered in sophistry, or made the vehicles of fraud, deception, and oppression, some practicable means of improvement might be readily proposed. For has there existed any period of England's annals more favourable in her external relations, or internal and colonial state, for economy, than the present peace throughout its period hitherto has? Yet the debt appears to remain nearly the same. Now suppose we should be afflicted with war, famine, or pestilence; and neither

would be very surprising with our increased drunkenness, theft, recklessness of character, and other too obvious and wide-spreading evils; either of those would probably place our finances in disorganization from the unnatural, and then, probably, insupportable burthens of the debt, borne chiefly by those on whose labour, and by those on whose direction the productive powers of the nation depend. In the last few years of the war the debt was doubled, and was expended in hurling millions of our brethren unbidden into the presence of HIM whom to contemplate, even with hope and joy, sometimes fills one with unspeakable awe; the millions of widows and children also, and their sufferings, too full for imagination to grasp, and too extensive for calculation to estimate, must needs make any feeling heart sorrowful to think of. May no such horrors be repeated! Yet other and great expenses may fall on the country from the need of emigration and other causes; it is, however, consolatory to observe that the taste for war is dying rapidly away. Now if an equitable arrangement could be proposed

and carried, would it not then become unworthy the general candour and honour of our government to go on thus paying more than they owe as interest, with considerable probability that at no very distant period the debt may become altogether too heavy to carry; that those who have hitherto been supported by it must get away as well as they can, some succeeding and others crushed, while the unwieldy mass lies a disgrace on our history, and a warning not to trust the most honourable race of kings that ever swayed a sceptre? Although if things go on smoothly with us for CENTURIES, we might, had we not to provide for the removal of the excess of an overwhelming population, gradually get rid of the bulk of the debt; yet if the past may be taken in the least degree as a sample of the future, there seems, without an equitable arrangement, no reasonable hope but that the debt will burst some time or other, and occasion very great distress in many ways, particularly with those aged, infirm, and young, whose chief, and whose sole support, is vested in them; and is this

protestant country, hitherto presenting so noble a front of honour, to follow in the train of too many other states by its inability to pay even the interest of its debt without increasing the principal? But however much we might dread a national bankruptcy, the chief sufferers after the first rush of distress would probably be the fundholder and privileged classes; for after all, this country is more substantially rich and powerful than any other, and though our character would be sullied, and great distress would prevail among individuals, yet our prosperity would not probably be suspended many months.

The privileged classes, and more particularly the clergy, would do well to reflect, that if we come to a stand now that the bulk of the nation are educated, and so can, in a few weeks, be mutually acquainted with each other's sentiments, while the very medium and circumstances that produce that facility also enable and excite them to inquiries into their reasonable claims, and so feel their power a little, which before they were comparatively unconscious of, they will look to the

privileges as a really available mode of relief, and doubtless they would be effectual if thus appropriated; for if the tithes, and such of the receipts as arise out of privileges of corporate and other bodies, were sold, they would go far to redeem the debt, or at least the equitable part of it, and the remainder would not press heavily. The non-residents too had better be made to contribute a little to the taxes of the country, it might materially assist virtuous and rational parents in inducing them to revert to the more solid education of their own country, when economy no longer presented so powerful a plea in the cause of French manners and education; and being no longer able to wriggle from their share of the burthens of their country if their property remained in it, many of them might be induced to return.

Several years ago the proposal to tax the income yet derived from this country by non-residents, so as to discontinue allowing them any longer to wriggle altogether from their share of taxation, was answered very triumphantly by a leading operator in the fund

market, who warned the House that if they taxed these people, they would withdraw their capital from this country. How nice a thing it would have been for us who remain if they had done so. If they had knocked down the price of Stocks to one-half in forcing fifty millions into the market, and the nation had bought them, there would have been five desiderata realized: one, that these people would then have just about paid up their old scores; another, that after all, this half being probably as much as the nation really owes for so much of the money borrowed, it would have cleared off so much of its debt, without being cheated of the same amount as double payment; another, that we should have got rid of the dividends, to the tune of a million a-year; in the next, that the original saving, and the annual saving at compound interest, would have reduced the national debt one hundred millions in forty years, and in the case of a determined sale of houses or lands, would have afforded good opportunity for those who stayed at home and paid their taxes, to have got some

good bargains out of those who shuffled from theirs. But how ridiculous of the loan-monger to talk in such a manner; they could only sell what others chose to buy of them. If, indeed, they could send from Boulogne and Geneva, some bailiffs to arrest us, there might have been some sense in it. But they would persuade us that they would hold us in a cleft stick, by threatening to take their property with them; why, if there were any dilemma in the case, they, not we, would be placed on its horns; for either they must sell their property for what they could get for it, or submit to pay their share of taxes on such property, from which we have suffered them so meanly to shuffle.

Although the cause of humanity derives strength from the heavy debt discountenancing warlike dispositions in our government, yet if honesty would be greatly promoted by an equitable arrangement, and the debt rapidly diminished thereby, it does not necessarily follow that our finances should quickly assume an appearance to invite such licentiousness, for we have a reasonable if not an imperative

prospect that very soon we shall have to spend some millions a-year in emigration and subsequent provision. And further, has not poverty, or apparent inability to repel aggression, often tempted hostilities? So that the advocates of poverty for sake of peace have not the argument all their own way; and surely it would be better to be and appear strong, yet just, and be respected, and in some degree loved, and to keep at peace, than submit to a series of impositions to keep peace because we are poor. And further, the country must, in most respects, be stronger than ever she was, for we have more than ever we had of the precious metals, of cattle, of machinery, of agricultural and horticultural cultivation and produce, of buildings, of education, of population, of money due to us from the governments and individuals of other nations, of shipping, of manufactures, of commerce, more square leagues of colony, more colonial population than ever we had; and if we have an enormous, and, to a considerable extent, unjust public debt, we owe it to one another, and

for every pound that foreigners hold of our debt, we hold ten or twenty of theirs.

But how absurdly has the sinking fund been concocted and conducted! How ridiculous to identify the professional saving without the fact with a real saving, and, thereby transacting a quantity of *unreal* business, on *real* commission, really reduce that property and prosperity they pretend to increase!

Will any reasonable man deliberately say that he could think it possible for either a collective body or an individual to employ an agent for the purpose of borrowing of one man to pay another, then borrowing of a third to pay the second, then of the first back again to pay the third, and paying the agent a commission for so doing, that he would not be minus that commission?

But to complete the altogether strange perversion of reasoning, they exhibit, as an argument in their favour, that it has kept up the price of stocks, which they wanted to buy. Why, there is not a chandler's-shopkeeper in the kingdom, whether man, woman, or child, but knows that it is his individual interest

to buy as *cheap* as he can. Was it less the interest of government to bring the purchase down as near as possible to the miserable standard at which they borrowed? Are they not herein altogether on the horns of a dilemma? Either they acted in defiance of common sense and honesty, or they thought nothing at all of the matter; for had they reflected, they must have known that the financial interest of the government lay in the cheapness of money when they wanted to borrow, and the cheapness of stock when they wanted to pay off again, by repurchasing their own debts; and further, that the only downright honest way was to admit as a debt the exact amount borrowed, to pay honest interest for that and not some other sum, and come what would, never to offer as payment either less or more than the precise amount of the debt understood to be thereby cancelled. Now had the simple plan of commission for real *bond fide* work performed been adopted, by paying the commissioners 2s. 6d. for every hundred pounds of the debt really redeemed, but never using borrowed

money for the purpose either immediately or remotely, the result by this time would have been different, especially if preceded by an equitable arrangement, which if done fifteen years ago, the debt would have been of a very different amount; and if now done, might be effected under these circumstances,—that no retrospect should be had for the usurious portion of interest already paid, but that all the terms of each specific stock should be collated,—that the sums actually lent should be adopted as the real debt, divided among the nominal amounts in the Bank books, in their true proportions, and that four per cent. should be paid on the whole. The plan of alteration on alienation would be more acceptable to the present holders, but there is a great evil even in the legacy and probate duty in the case of small property wanted for the continued support of the widow and children, perhaps more than during the lifetime of the father. Is it probable that the widow and children should need the support less after the husband and father is removed? must his death be the signal for heaping fresh

afflictions upon them? Such cases would tend strongly against the alteration on alienation. But if all incomes above one hundred pounds were put on that footing, and those under were reduced in a smaller ratio, in proportion to the minimum of amount, coming down to thirty pounds for each person maintained out of it, and all under not to be reduced at all, such an arrangement would be a sound approach towards fairness; but as it now works, and hitherto has, the poor and destitute as well as all others never pay for any taxed article without being defrauded by the fundholder.

CHAP. IX.

REVENUE, DUTIES, DRAWBACKS AND BOUNTIES.

OF home taxes some are beneficial to a state over and beyond the revenue they yield, as those which operate against drunkenness and other vices ; some are in moderation favourable to justice, at least, in the estimation of those who feel all men as their brethren, yet they are in some sort an evil if they could be avoided, such as demands on those who possess more than present necessities and future prudent provision require, and articles of great luxury so far as they can be made tangible to taxation ; some are more or less evil in proportion as they fall on the poor, and still more particularly where they militate against their employments. Some are more than doubly injurious, such as those which,

instead of being taxed, accompanied with the permission to blazon them forth with inviting and false professions, should never have been tolerated, as lotteries.

On the subject of taxes on foreign merchandise, there seems to need three or four principles as a foundation to build on : First, it is clear that the various climates, elevations, soils, natural produce, habits and attainments of the inhabitants, and some other inferior causes, are so altogether more congenial to some productions than others, that were it not for the want of revenue all would be benefited by all throwing open their trade both in supply and demand : thus each commodity would be followed up where the best quality and the greatest quantity could be produced at a given cost, and both the producer would realize the most profit that the production admitted of, and the consumer would get the best quality and the lowest price that the commodity admitted of. Secondly, interferences on the part of governments generally tend to clog rather than facilitate the advantages of commerce, but then revenue is

wanted; therefore, governments say very naturally, we will tax foreign productions on importation, and get a two-fold advantage, first revenue (from our own subjects as the consumers 'tis true, still it is revenue;) secondly, we shall give an advantage to our own producers of those commodities or substitutes for those commodities, and although for every two shillings we enable them to gain, we deprive our neighbours of the opportunity of gaining six shillings; and although further, our subjects pay, over and above a natural price, more than our producers gain by having the custom thus forced for them, because their climate, &c. will produce it better and more abundantly abroad, at less cost, yet, upon the whole, our people get the profit, such as it is, if they supply the commodity, and we get the revenue if the foreigner supplies the commodity: so if it comes dearer our subjects must use less of it, in bestowing the same money on that article as before for a smaller quantity and perhaps worse quality, but our people have more employment, and we more revenue than if we

did not tax it. Then comes the next feature, the country whom we have so treated we supply with other commodities which we can muster better and cheaper than they can, but their government says, " Oh, they serve us so, do they? and our people in that trade are starving; we will make reprisals by taxing their goods in proportion;" so their producer in turn gets his two shillings by depriving ours of his six shillings, and their government also gets revenue; but the moment that comes into operation both countries become impoverished by their taxings, and it would be much better for both if each would withdraw these mutual taxes and impose others that would have no bearing on the commercial intercourse of the two nations, neither any tendency to promote or discourage any specific production, domestic or foreign, not but that taxing foreign commodities tends to enrich in its remote operation if other countries did not consequently serve us in the same manner.

Now, though the pleaders with reference to our heavy debt have a good argument, yet,

notwithstanding all the fuss pro and con relative to free trade, does it not lie in fact pretty much within this narrow compass—that if all would agree together not to tax the productions of each other, there would be a great benefit spread or divided among them, as compared with the present system? Also for ourselves for instance, (and the reasoning holds good to all countries) then the real intrinsic relative values of our land for food, our coal and metals for manufacture, our ingenuity, perseverance and stamina of mind and body; our capital, our maritime situation, our fisheries, would all of themselves, as it were, find their own level, and each source of wealth would produce the country the most it was capable of, compatibly with not deducting from other source or sources of wealth a greater unnatural loss than was equivalent to its own unnatural gain, thus impoverishing the people by the difference, and which must be the effect of bounties given on any trade, whether fisheries or others. And, notwithstanding our debt, tithes, poor-rates, and all our other circumstances, good, bad, and

indifferent, is not the above simple sentiment incontrovertible ?

But if our productions are to be checked in foreign countries by heavy duties, and we check not theirs by equally heavy duties, whether it relates to goods supplied, or to shipping employed, or to rates levied on shipping for lights, custom-houses, corporations, &c. we are minus by our forbearance both in trade and revenue ; and very especially are we minus by those who keep their property in this country and live abroad. We are paying taxes to take care of their property, while we throw our own away upon insolvent governments, and yet have to account to them for the interest, and the principal whenever the interest ceases ; notwithstanding all that they use of foreign commodities pays our government no revenue, and all that they use of British commodities pays a tax to the government where they live ; indeed they ought to be especially taxed, by at least one per cent. per month, while away from us, on all income derived from this country, so far as it could be discovered ; but some arrangement relative to

the funds should precede this measure or they would transfer it to the names of others, that they might still shuffle from their share of the burthen.

It seems probable that justice and the interest of the country would be much promoted by a complete review of our foreign duties, more especially on goods from those countries which tax our commodities more than we tax theirs; and if they would not readily agree to an approximation, our duties should at once be raised to a level with theirs; though were it not that our unnaturally heavy debt requires an unnaturally heavy revenue, it appears pretty clear that the unprecedentedly industrious and enterprising English nation would derive a great balance of advantage by a total mutual remission of duties, except with Russia, and one or two other poor and enterprising countries, as they could not afford to buy largely of us for gold, whereas we could afford to buy largely of them for gold. Thus they would impoverish us while we enriched them, whereas commerce ought to enrich both sides. Yet some modern theo-

rists say, it matters little the nature of the dealings, nor whether we get our goods from abroad or not. Is it then of no consequence to a patriotic Englishman whether his countrymen or a foreigner has the work which his wants demand? How is it that successful trading establishments have risen from poverty to wealth but by doing profitable business? and how has it happened that some of the greatest revenues in the country have been insufficient to screen their possessors from poverty, but because they have thrown away their resources and anticipated their incomes, which we should assuredly do if from unwise legislative enactments, or other causes, we threw the balance of trade greatly against us; and so we might go on until we had not a gold coin left. Thus by employing foreign population and neglecting our own, we should soon have little either of the precious metals or goods; and where then should we go for relief when our population were starving because our resources had been thrown away on the schemes of theorists? Whatever some legislators may think of their

own labours, it appears pretty clear that to the stamina of mind and body of the people of England is, under DIVINE PROVIDENCE, chiefly to be attributed the wealth and strength of the country.*

* Dust has been thrown in the eyes of Englishmen, by the too great latitude of conclusion and reasoning on this as a fact, that gold is like any other commodity; you may buy or sell it at any time, therefore it matters not to a nation whether it sell, and receive gold in return, or buy, and pay gold in return; but there are some real facts (not ephemeral one-sided fancies), which upset half the assumption as to the fact, and all the reasoning founded on it. Gold and silver, as the general mediums of trade, would command any commodity to any extent from any country that possessed the commodity required, and the producers of that commodity would go on undeviatingly for centuries, while these metals continued to be their customer; indeed they can command a market at all times and in all places, not but that by making too free with themselves they would cheapen their own value. Now for all other commodities they can command no market, it is their province not to command but obey. If they receive any intimation that they are wanted, they flock with eager haste to the customer, and they never cease while these will receive and pay for them; but if they assume the command what is the consequence? they are presented at ruinously low prices, and even then, if customers will not buy, they are worthless as matters of trade; but your theoretic gentlemen will say, Oh! but this country can always get gold and silver when it wants them; yes, but whence arises that facility? From the simple fact that other nations have been in the habit of buying of us to a greater amount than we have bought of them, so they are continually wanting to remit to this country, for which reason there is plenty of money for all good bills on this country: but these money-dealers, loan-contractors, and stock-jobbers, seem to fancy they know every body's business and circumstances, and say, Oh, never mind! it matters not so that trade is carried on, if you

But if government wishes to get the revenue which the custom-house laws provide for, by the prevention of smuggling, their shortest and most effectual road would be to

buy manufactures of foreigners instead of Englishmen never mind, you have to pay him in something else, yes, and that something else is gold, which was a valuable possession to us, the fruits of an advantageous balance of trade, greatly reduced in fact and thrown away in theory by these new-fangled theorists; but had not our fathers acted on a different principle, where should we have found the gold to pay with?

But the mischievous men who would lead us continually to interfere with the concerns, foreign and domestic, of every civilized nation, would, after negotiating and recommending loans not worth at this moment one shilling in the pound, persuade us to attempt to give laws to all the governments that have jewed us (by wholesale, after they had stipulated to jew them, as they have our own government, by retail), and if not acceded to, to bombard their houses and cut their throats; but our present government is much too wise, and appears to have ceased that abominable interference which, with the recklessness of statesmen and the roguery of loan-mongers, have brought us to the eve of bankruptcy—a very small, and altogether inadequate, punishment for immolating in the last century as many human beings as the whole present population of England. When it is proposed to tax the non-resident, the loan-jobbers say, “Don’t do so, he will withdraw his capital.” When foreign governments want to quarrel and fight, the same loan-jobbers, as though anxious that they should lose no time in killing each other, borrow the capital of their countrymen under stipulations which outrage all principles of honesty, send a part to foreign governments, and pocket the rest; and in a few years those governments, with a people diverted from the peaceful avocations of honesty and good will by the money we have lent them to carry on war, are about as likely, after a few years, to pay us dividends as oak trees are to yield chestnuts. So in following the advice of the loan-monger, we continue

farm out to a coast-blockade concern the duties on the goods subject to be smuggled; not that the duties should be collected otherwise than as they now are, but the coast blockade so constantly feeling an interest to do away with smuggling in all its ramifications, might, by a variety of traps, soon work the present smugglers out of the market, and perhaps pretty much discourage others from entering upon it. However vigilant the coast-blockade may now be, it was not favourable to the suppression of smuggling at one of the out-ports about twenty years ago, where were then established two revenue cutters; they took pretty many prizes to the enriching both of captains and crews. The instructions of the government, as a standing rule, were said to be, that they should send the captured smugglers on board the receiving ship for the Royal Navy, both to keep down the number

to employ the capital of the non-resident, and squander our own upon any foreign government who chooses to kick up a quarrel with its neighbour, too sure to find English loan-mongers ready to support them with the money they can borrow from others, if they can only stipulate for pocketing a good large slice without giving any value for it but their own fraudulent labours.

of smugglers, and to assist in manning the navy with able-bodied seamen as the phrase is; but whatever were the instructions, the practice was to give them their boat, with a keg of spirits to comfort them under their disappointment. Now the interests of the revenue and the captors harmonized up to the capture, and so far vigilance was apparent, but at that point they ceased, and became diametrically opposite, for the interest of the revenue lay in there being no smugglers, that of the cutters in there being a great many; of the revenue, that all should be captured and sent on board ships of war; of the cutters, that all should escape, and that they should run as large a proportion of their voyages as would keep them in heart;—which, as successfully running one cargo in three was nearly sufficient for, they had not much difficulty in making it pay. But had the interests of the revenue and the revenue cutters harmonized throughout, it would have been more important to the crews of the latter to catch the smugglers than even the smuggled goods, because their chief interest would lie in cutting

off the succession of fraud on themselves ; and no one surely would deny that catching all they could would altogether prevent those thus secured, and much deter those they had been unable to catch. But upon the footing they were on, it was the interest of the cutters that the smuggler should carry on a great trade, and the interest of the revenue that he should be hunted out of the market, or run down and placed out of the power of repetition by a safe birth in the navy. Now, in this cause, Revenue Officers *versus* Revenue which side had it ?

CHAP. X.

CLAIMS OF THE WEST INDIA AND MAURITIUS INTEREST TO PERPETUAL EXCLUSIVE PRIVILEGES, AND CLAIMS OF THE NATION FOR THE ABOLITION OF SLAVERY.

Does there exist any, the least, difficulty in the West India and Mauritius Slavery question, except the entanglements of parliamentary influence ?

The government and country were both parties to its abominations, the former have granted, and the latter have paid, additional duties on the sugars and some other commodities of our other colonies to the protection of theirs, though they have never possessed an integral honest right to a preference over those other colonies. Now we have thereby redeemed in anticipation and pre-payment any pledge that can reasonably have been implied. The nation have, therefore, a right

now to demand the cessation of slavery in the West Indies and the Mauritius. We may illustrate this matter by a reference to the Cape of Good Hope ; the cultivation of the grape was encouraged by a low rate of duty on wine, and they have had this advantage for perhaps a sixth of the period that the West Indies have possessed their peculiar privileges, the duties on FOREIGN wine have been reduced without a corresponding reduction on theirs, and on their application for said corresponding reduction it was replied to them, " if with these advantages to establish your concerns you have not yet been able to compete with others, your undertaking is not worth support ;" and there is something in it, for government is required to give up ten pounds duty to enable the Cape wine cultivators to realize five pounds profit. But if this principle be admitted, what becomes of the ratio of duties on Canadian produce, where the government gives up ten pounds duty to enable the Canadian farmer and land clearer to gain less than two pounds ten shillings profit ? For wood from the Baltic and the

United States pays a duty that comes to as much as sixty per cent. free on board in this river, but from Canada about six per cent.—say one-tenth ; but wine from the Cape pays nearly as much per cent. on its value as that from foreign countries:

Again, the two cases here alluded to are both, colonists against foreigners, or children against strangers, but with the relative duties on sugars it is chiefly colonists against colonists, or children against children. And now, by way of giving the West Indies and the Mauritius every advantage upon every turn, and charging every retrospective protection at nothing at all, let an act be passed giving each island the choice for itself of redeeming the slaves in twelve months, preparing them for it in the way they think best, and having the present advantages of relative duties and military protection guaranteed to them for seven years from the date of the act, or for this country to place the produce of the island or islands declining that arrangement immediately on a par with that of the free portion of our East India possessions as to duties; and

send them no more troops, yet doing our best for the support, comfort and health of those now there as long as they live; doubtless the parliamentary interest of slave-holders would struggle hard, but might we not hope that the parliamentary interest of common honesty and common sense would struggle harder?

And now for the plan of declaring all to be free born after a specific period: is it not perfectly obvious that their expense and support would be begrudged by the master when he knew that though he had the expense of feeding and bringing them up they were not to belong to him? It is of no use in our legislation to say how inhuman and so forth; say what we can, a West Indian does and will view his slaves as property, so does the English farmer his horses. Now what English farmer would continue to rear horses after an act was passed depriving him of the property in them, so that when they became useful he could only have their work on condition of hiring them at the same cost as he could hire those reared by any body else? Now the

operation of that feeling might not be in the same degree, yet would it not be the reasoning almost or quite universally? and the practice to a tremendous extent? And for those amiable philanthropic characters who probably have looked too much on one side of the question, these describe the conduct of the owners and employers of slaves as incomparably more harsh and cruel than that of any decent farmer to his horses. It seems odd that they should expect "these cruel, calculating task-masters" to allow children to be brought up at their expense, when they knew that they were not to be their property.

If they be half as bad as they are represented to be, the cruel adversary of man will help them to fifty modes of keeping down the population without any one being so palpable as hanging or drowning.

CHAP. XI.

NATIONAL PEACE MUCH PROMOTED BY INDIVIDUAL PEACE.

IT would be well for those who advocate the cause of peace to be very careful how they allow their most secret thoughts to dwell with complacency on warlike subjects.

Do those who have the cause at heart feel exultation at the news of the success of British troops in India or elsewhere ? do we vest our money in the price of blood ? do we willingly profit by war where it is practicable to avoid it ? are we slow to forgive offences, personal, pecuniary and otherwise ? If we harbour revenge in our breasts and go to the God of consistency and omniscience with a prayer that peace may abound in others, can we expect an answer of peace ? Can we forget that consistency and harmony of conduct, sentiment, and principle, is looked for at our hands from HIM who alone can bless and effectuate the struggles of the charitable and peaceable in the cause of peace ? Ah ! if we

always strove to have a **DIVINE MASTER** in all things, and one of our very chiefest delights to find our self-will subdued, more and more crossed, torn up, flung away, burnt up, we should, I believe, find much more success to attend our efforts, much more perceive that the work was of the **MOST HIGH**.

When this country was in the foremost ranks of war, some did not always refrain from blaming the government while they deplored the cause of suffering humanity ; would it not be well for such to ask themselves, “ are we as forward now to praise the government, seeing that scarcely a war has arisen in any civilized community on the face of this earth for several years past, but they have calmly, prudently, wisely endeavoured to promote peace and good neighbourhood among them ? and if we are not now as forward to praise as we formerly were to blame, do we walk charitably ? do we walk honestly ? should we like at the winding-up of all things for *our* offences only to be remembered ?

THE END.

POSTSCRIPT.

I believe that my data are all correct, and should they be so, I do not see how it is possible but that within a few years some of the managements herein recommended will (however novel they may appear) be forced on the attention of almost all classes, from circumstances which, in their very nature, will not, and cannot take a denial.

If they be conceded to force, great distress may ensue; but if met in the spirit of meekness and of a sound mind, their benefit will be incalculable and with little alloy.

Should any recognize in the dedication an expression which they may deem flattery,—to such, whether few or otherwise, I would wish to plead the many and great advantages derived from the reign of George the Fourth; among the foremost of which has been his wise, invariable, and generally successful, advocacy of the cause of peace, both in his own conduct, and in his influence with others. He entered on the Government in the midst of a war, which was annually hurling to destruction, to death, and to premature judgment, scores of thousands, nay, in some years, hundreds of thousands of my brethren, and producing tremendous distress to millions of my brethren and sisters.

Now he not only closed those wars and healed those animosities with wisdom, prudence, and honour, and has himself, up to this time, neither provoked a war, nor declared one;—but he has gone further; for there has not, I believe, existed a war between civilized nations since his accession to power; but he has judiciously, mildly, and sincerely endeavoured to appease their strifes, and thus lead them away from the foolishness and cruelty of shedding each other's blood; and having been favoured with a success perhaps unparalleled in these pacific endeavours, he has thus as a peace-maker saved the murdering of many more of my brethren of various nations. I call them my brethren, because I feel brotherly love towards the whole human race; and deliberately believing that of all our scourges, the most cruel, the most unrelenting, has been war, the most general in its application, the most severe in its effects: with those facts before my eyes, and this conviction in my heart, will any one disallow me the earnest and cordial hope that the blessing promised

to the peace-maker may be abundantly bestowed on our king? Will any one disallow the honest avowal of respectful gratitude? and if I am told that he is not clear of domestic fault, have I not a right to rejoice, that whatever may be his faults, if any, I had rather not know them, for that I have too many faults of my own to combat, to allow me time to con over those of others, and am so much dissatisfied with myself for them, that I cease to have much appetite to hear or relate what may be imputed to him or others individually, except for the purpose of their remedy. Indeed I would respectfully and soberly ask, what can be the anticipation of the SPIRIT which reigns undeviatingly in Heaven; by those who would, by their self-righteous language, seem to think they may carry their own judging and uncharitable habits with them, and yet be accepted with this cumbrous and heavy load?

I would ask the liberty to add, that on looking back on my own past life, my impression decidedly is, that I never did an unkind action to another without diminishing my own happiness; and, that I never did a kindness to another without increasing it—a feeling which, I hope and believe, is extending rapidly in society. For, among the many marvellous features of this marvellous age, perhaps few are so striking as the increased aptitude of society to carry the peaceable spirit of the Redeemer into the occurrences of common life. Thus, formerly, it was taken for granted, that if two persons differed in opinion, they must needs like each other the less for it; but the modern discovery is, that to quarrel on any such ground, cannot possibly do any good, and that it always diminishes our own happiness without any corresponding benefit. Formerly, we were more quick both to appreciate and to bestow injuries than benefits; now, society appears to be merging into the invaluable discovery, that to confer happiness, is to be happy: formerly, there was more of the disposition to wrap ourselves in the folds of proud consciousness of superiority, or the distant begrudging of the superiority of others; now, we are, or at least appear to be, merging into that state wherein peace and harmony in our own breasts lead us to rejoice in all the proper happiness we witness in others, whether that happiness be depicted by our fellow-men, or by the animals that sport around us, we discover that rejoicing in their happiness gives a tone to our minds, wonderfully adapted to increase our every pleasure, and to soften our every grief; while our happiness would be indescribably increased by the consciousness that our first and greatest excitement to rejoice in the happiness of all is, that all are the work of that POWER, whom to know and obey, would be the very chiefest and best of all our delights. How would this tendency of society hasten that period, when the angelic anthem, "Glory to God in the highest, on earth peace, good will towards men," would be responded by mankind from every clime, and of all complexions!

